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सं. 17] नई दिल्ली, अप्रैल 19-अप्रैल 25, 2009, शनिवार/चैत्र 29-वैशाख 5, 1931
No. 17] NEW DELHI, APRIL 19-APRIL 25, 2009, SATURDAY/CHAITRA 29-VAISAKHA 5, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 9 अप्रैल, 2009

का.आ. 1035.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मणिपुर राज्य सरकार, गृह विभाग की अधिसूचना सं. 2/8(91)/2008-एच दिनांक 1-12-2008 द्वारा प्राप्त सहमति से निंगोमथांग सैराम लियारक इम्फाल पूर्व के श्री कोनसाम ऋषिकांत सिंह की हत्या के संबंध में लामफेल पुलिस स्टेशन, मणिपुर में भारतीय दंड संहिता 1860 की धारा 302/34 और हथियार अधिनियम की धारा 25 (1-बी) के अधीन दर्ज एफआईआर सं. 150(11)08 के अन्वेषण के लिए तथा उपर्युक्त अपराधों से संबंधित अथवा संसक्त प्रयत्नों, दुष्प्रेरणों और षड्यंत्रों तथा उसी संव्यवहार के अनुक्रम में अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण मणिपुर राज्य पर करती है।

[सं. 228/4/2009-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 9th April, 2009

S.O. 1035.—In exercise of the powers conferred by sub-section (1) of Section 5, read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Manipur, Home Department, vide Notification No. 2/8(91)/2008-H, dated 1-12-2008, extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Manipur for the investigation of FIR No. 150(11) 08 U/s 302/34 Indian Penal Code, 1860 and Section 25(1-B) of Arms Act registered at Lamphel Police Station, Manipur relating to the killing of Shri Konsam Rishikanta Singh of Ningomthong Sairom Leirak, Imphal East and attempts, abetments and conspiracies in relation to or in connection with the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/4/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 16 अप्रैल, 2009

का.आ. 1036.—केंद्रीय सरकार, एतद्वारा, दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्रीमती सोनिया माथुर, अधिवक्ता, नई दिल्ली, केंद्रीय अन्वेषण ब्यूरो के रिटेनर काउन्सेल को दिल्ली उच्च न्यायालय, नई दिल्ली में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित मामलों से उद्भूत अन्य मामले अथवा अभियोजन, अपील, पुनरीक्षण के लिए विशेष लोक अभियोजक के रूप में नियुक्त करते हैं।

[सं. 225/4/2009-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

New Delhi, the 16th April, 2009

S.O. 1036.—In exercise of the powers conferred by the provisions of sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Smt. Sonia Mathur, Advocate, a Retainer Counsel of Central Bureau of Investigation in the Delhi High Court at New Delhi as Special Public Prosecutor for conducting prosecution, appeals, revisions or other proceedings arising out of the cases investigated by the Delhi Special Police Establishment in the Delhi High Court at New Delhi.

[No. 225/4/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

सीमाशुल्क एवं केन्द्रीय उत्पाद शुल्क मुख्य आयुक्त का कार्यालय
शुद्धिपत्र

कोयंबतूर, 27 मार्च, 2009

संख्या 02/2009-सीमाशुल्क (एन.टी.)

का. आ. 1037.—अधिसूचना सं. 2/2009-सीमाशुल्क (एन.टी.) तारीख 27-03-2009 में दिए हुए कोयंबतूर जिला के पल्लडम तालुक के "कणियूर" गाँव-शब्दों के स्थान पर निम्नलिखित शब्द :
तिरुपूर जिला के पल्लडम तालुक के "कणियूर" गाँव लिखा जाए।

[सी सं. VIII/40/01/2009-कस (सी.सी.ओ.)]

टी. प्रेमकुमार, मुख्य आयुक्त

MINISTRY OF FINANCE

(Department of Revenue)

Office of the Chief Commissioner of Customs and Central Excise

CORRIGENDUM

Coimbatore, the 27th March, 2009.

No. 2/2009-Customs (NT)

S.O. 1037.—In the notification No. 2/2009-Customs (NT) dated 27-03-2009 for the words "KANIYUR" Village of Palladam Taluk, Coimbatore District appearing in the notification the following words may be substituted.

"KANIYUR" Village of Palladam Taluk, Tirupur District.

[C. No. VIII/40/01/2009-CUS(CCO)]

T. PREMKUMAR, Chief Commissioner

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1038.—बीमांकक अधिनियम, 2006 (2006 का 35) की धारा 26 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री उत्तम प्रकाश अग्रवाल, अध्यक्ष, भारतीय सनदी लेखाकार संस्थान और सुश्री सुकृति लिखी, निदेशक (बीमा), वित्तीय सेवाएं विभाग को अगले आदेश होने तक, भारतीय बीमांकक संस्थान परिषद द्वारा गठित अनुशासन समिति के सदस्य के रूप में नामित करती है।

[फा. सं. 97(11)/2003-बीमा-III]

ललित कुमार, उप सचिव

(Department of Financial Services)

New Delhi, the 15th April, 2009

S.O. 1038.—In exercise of the powers conferred by sub-section (1) of Section 26 of the Actuaries Act, 2006 (35 of 2006), the Central Government hereby nominates Shri Uttam Prakash Aggarwal, President, Institute of Chartered Accountants of India and Ms. Sukriti Likhi, Director (Insurance), Department of Financial Services as Members on the Disciplinary Committee constituted by the Council of the Institute of Actuaries of India till further orders.

[F. No. 97(11)/2003-Ins.-III]

LALIT KUMAR, Dy. Secy.

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 6 अप्रैल, 2009

का.आ. 1039.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री राज कुमार, सहायक को 6-4-2009 से भारत के उच्चायोग, वेल्सलैण्डन में सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

आर. के. पेरिनडिया, अवर सचिव (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. Division)

New Delhi, the 6th April, 2009

S.O. 1039.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths

and Fees) Act, 1948, the Central Government hereby authorize Shri Raj Kumar, Assistant to perform the duties of Assistant Consular Officer in the High Commission of India, Wellington with effect from 6th April, 2009.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 5 मार्च, 2009

का.आ. 1040.—केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची के भाग-I में निम्नलिखित संशोधन करती है; अर्थात् :

2. प्रवार आयुर्विज्ञान संस्थान (सम विश्वविद्यालय), लोनी, महाराष्ट्र के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में क्रम सं. 70 के सामने कालम 2 एवं 3 की मौजूदा प्रविष्टियों के अंतर्गत निम्नलिखित डेंटल कॉलेज के बी.डी.एस. छात्रों के संबंध में निम्नलिखित को शामिल किया जाएगा, अर्थात् :—

1. प्रवार मेडिकल ट्रस्ट का ग्रामीण डेंटल कॉलेज, लोनी

“(ii) दंत शल्य चिकित्सा स्नातक बी.डी.एस., प्रवार आयुर्विज्ञान संस्थान (सम विश्वविद्यालय), लोनी, महाराष्ट्र”
(यदि यह 13-7-2008 को अथवा उसके उपरांत प्रदान की गई हो)

[फा. सं. बी.12018/4/2008-डी ई]

राज सिंह, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE (Department of Health and Family Welfare)

New Delhi, the 5th March, 2009

S.O. 1040.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. Under the existing entries of column 2 and 3 against Serial No. 70, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Pravara Institute of Medical Sciences (Deemed University), Loni, Maharashtra in respect of the BDS students of the following dental college shall be added, namely :—

1. Pravara Medical Trust's Rural Dental College, Loni
“(ii) Bachelor of Dental Surgery
(when granted on or after 13-7-2008)

BDS, Pravara Institute of Medical Sciences (Deemed

University), Loni,
Maharashtra”

[F.No.V-12018/4/2008-DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 5 मार्च, 2009

का.आ. 1041.—केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है; अर्थात् :

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता द्वारा डॉ. आर. अहमद डेंटल कॉलेज एंड हॉस्पिटल, कोलकाता के संबंध में प्रदान की जाने वाली दंत चिकित्सा अर्हता को मान्यता देने के संबंध में क्रम सं. 71 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों के अंतर्गत निम्नलिखित प्रविष्टियां रखी जाएंगी :—

“(ii) दंत शल्य चिकित्सा निष्णात

(i) पेडोडॉन्टिक्स
(यदि यह 17-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (पेडो.) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

(ii) पेरियोडॉन्टिक्स
(यदि यह 19-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (पेरियो.) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

(iii) कंसर्वेटिव डेंटिस्ट्री
(यदि यह 19-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (कंस. डेंटिस्ट्री) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

(iv) ओरल सर्जरी
(यदि यह 19-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (ओरल सर्जरी) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

(v) ऑर्थोडॉन्टिक्स
(यदि यह 17-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (ऑर्थो.) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

(vi) प्रोस्थोडॉन्टिक्स
(यदि यह 17-4-2008 को अथवा उसके उपरांत प्रदान की गई हो।)

एम.डी.एस., (प्रोस्थो.) पश्चिम बंगाल आयुर्विज्ञान विश्वविद्यालय, कोलकाता

- (vii) ओरल पैथोलोजी
(यदि यह 17-4-2008 को
अथवा उसके उपरांत प्रदान
की गई हो।)
- एम.डी.एस., (ओरल पैथ.)
पश्चिम बंगाल आयुर्विज्ञान
विश्वविद्यालय, कोलकाता"

[फा. सं. वी.12017/65/2005-डी ई]

राज सिंह, अवर सचिव

New Delhi, the 5th March, 2009

S.O. 1041.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against Serial No. 71, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental qualification in respect of Dr. R. Ahmed Dental College & Hospital, Kolkata awarded by the West Bengal University of Health Sciences, Kolkata, the following entries shall be inserted thereunder:—

"(ii) Master of Dental Surgery

- | | |
|---|--|
| (i) Pedodontics
(When granted on or
after 17-4-2008) | MDS (Pedo.) The West
Bengal University of Health
Sciences, Kolkata |
| (ii) Periodontics
(When granted on or
after 19-4-2008) | MDS (Perio.) The West
Bengal University of Health
Sciences, Kolkata |
| (iii) Conservative Dentistry
(When granted on or
after 19-4-2008) | MDS (Cons. Dentistry)
The West Bengal University
of Health Sciences, Kolkata |
| (iv) Oral Surgery
(When granted on or
after 19-4-2008) | MDS (Oral Surgery)
The West Bengal University
of Health Sciences, Kolkata |
| (v) Orthodontics
(When granted on or
after 17-4-2008) | MDS (Ortho.) The West
Bengal University of Health
Sciences, Kolkata |
| (vi) Prosthodontics
(When granted on or
after 17-4-2008) | MDS (Prosth.) The West
Bengal University of Health
Sciences, Kolkata |
| (vii) Oral Pathology
(When granted on or
after 17-4-2008) | MDS (Oral Path.) The West
Bengal University of Health
Sciences, Kolkata" |

[F.No.V-12017/65/2005-DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 5 मार्च, 2009

का.आ. 1042.—केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद् से

परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची के भाग-I में निम्नलिखित और संशोधन करती है; अर्थात् :

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में डॉ राम मनोहर लोहिया अवध विश्वविद्यालय, फैजाबाद (उत्तर प्रदेश) के संबंध में क्रम सं. 55 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों के अंतर्गत निम्नलिखित प्रविष्टियां रखी जाएंगी, अर्थात् :—

"(iv) चंद्रा डेंटल कॉलेज एंड हॉस्पिटल, बाराबंकी, उत्तर प्रदेश

"(i) दंत शल्य चिकित्सा स्नातक बी.डी.एस., डॉ. राम मनोहर
(यदि यह 16-2-2008 को लोहिया अवध विश्वविद्यालय,
अथवा उसके उपरांत प्रदान फैजाबाद (उत्तर प्रदेश)।"
की गई हो)

[फा. सं. वी.12017/42/2002-डी ई]

राज सिंह, अवर सचिव

New Delhi, the 5th March, 2009

S.O. 1042.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. Under the existing entries of column 2 and 3 against Serial No. 55, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Dr. RML Avadh University, Faizabad (U.P.), the following entries shall be inserted thereunder:—

"(iv) Chandra Dental College & Hospital, Barabanki, Uttar Pradesh

"(ii) Bachelor of Dental BDS, Dr. RML Avadh Univer-
Surgery sity, Faizabad (U.P.)"
(If granted on or after
16-2-2008)

[F.No.V-12017/42/2002-DE]

RAJ SINGH, Under Secy.

नई दिल्ली, 5 मार्च, 2009

का.आ. 1043.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक "पंजीकरण के लिए संक्षेपण" [स्तंभ (3) में] निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान एवं शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह महाराजा आयुर्विज्ञान संस्थान विजयनगरम, आंध्र प्रदेश में प्रशिक्षित किए जा रहे छात्रों के संबंध में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा अप्रैल, 2008 के बाद प्रदान की गई हो)।

[सं. यू-12012/89/2001-एम ई(पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 5th March, 2009

S.O. 1043.— In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a recognized medical qualification when granted by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh after April, 2008 in respect of students trained at Maharajah's Institute of Medical Sciences, Vizianagaram, Andhra Pradesh.)

[No. U-12012/89/2001-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1044.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्द्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक 'पंजीकरण के लिए संक्षेपण' [स्तंभ (3) में]

निम्नलिखित को अन्तः स्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान एवं शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह गवर्नमेंट मेडिकल कालेज, लातूर में प्रशिक्षित किए जा रहे छात्रों के संबंध में महाराष्ट्र स्वास्थ्य विज्ञान विश्व-विद्यालय, नासिक, महाराष्ट्र द्वारा जून, 2008 के बाद प्रदान की गई हो)।

[सं. यू-12012/22/2001-एम ई(पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1044.— In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Maharashtra University of Health Sciences, Nashik, Maharashtra" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a recognized medical qualification when granted by Maharashtra University of Health Sciences, Nashik, Maharashtra after June, 2008 in respect of students of Government Medical College, Latur, Maharashtra)

[No. U-12012/22/2001-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1045.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्द्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "केरल विश्वविद्यालय, तिरुवनंतपुरम, केरल" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक 'पंजीकरण के लिए संक्षेपण' [स्तंभ (3) में] निम्नलिखित को अन्तः स्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान और शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डॉ. सोमरवैल मैमोरियल सीएसआई मेडिकल कालेज एवं अस्पताल, करकोनम, त्रिवेन्द्रम, केरल में प्रशिक्षित किए जा रहे छात्रों के संबंध में केरल विश्वविद्यालय, तिरुवनंतपुरम, केरल द्वारा अप्रैल, 2008 के बाद प्रदान की गई हो)।

[सं. यू-12012/71/2001-एम ई (पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1045.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Kerala University, Thiruvananthapuram, Kerala" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a recognized medical qualification when granted by Kerala University, Thiruvananthapuram, Kerala after April, 2008 in respect of students trained at Dr. Somervell Memorial C.S.I. Medical College and Hospital, Karakonam, Trivandrum, Kerala)

[No. U-12012/71/2001-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1046.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "महात्मा गांधी विश्वविद्यालय,

कोट्टायम, केरल" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक 'पंजीकरण के लिए संक्षेपण' [स्तंभ (3) में] निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान और शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह मालांकारा, आर्थोडॉक्स सिरियन मेडिकल कालेज, कोलेंचेरी, एर्नकुलम, केरल में प्रशिक्षित किए जा रहे छात्रों के संबंध में महात्मा गांधी विश्वविद्यालय, कोट्टायम, केरल द्वारा जनवरी, 2008 के बाद प्रदान की गई हो।

[सं. यू-12012/58/2001-एम ई (पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1046.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Mahatma Gandhi University, Kottayam, Kerala" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a Recognized Medical Qualification when granted by Mahatma Gandhi University, Kottayam, Kerala after January, 2008 in respect of students trained at Malankara Orthodox Syrian Medical College, Kolenchery, Ernakulam, Kerala).

[No. U-12012/58/2001-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1047.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक 'पंजीकरण के लिए संक्षेपण' [स्तंभ (3) में] निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान और शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह चलमेडा आनंद राव आयुर्विज्ञान संस्थान, करीम नगर, आंध्र प्रदेश में प्रशिक्षित किए जा रहे छात्रों के संबंध में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा अप्रैल, 2008 के बाद प्रदान की गई हो)

[सं. यू-12012/122/2002-एम ई(पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1047.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a Recognized Medical Qualification when granted by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh after April, 2008 in respect of students trained at Chalmeda Anand Rao Institute of Medical Sciences, Karimnagar, Andhra Pradesh)

[No. U-12012/122/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1048.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से

परामर्श करने के बाद एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में "डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश" के सामने शीर्षक 'मान्यताप्राप्त चिकित्सा अर्हता' [स्तंभ (2) में] और शीर्षक 'पंजीकरण के लिए संक्षेपण' [स्तंभ (3) में] निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान और शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डॉ. पिन्नामनेनी सिद्धार्थ आयुर्विज्ञान प्रतिष्ठान, चिनाउतपल्ली, जिला कृष्णा, आंध्र प्रदेश में प्रशिक्षित किए जा रहे छात्रों के संबंध में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा अप्रैल, 2008 के बाद प्रदान की गई हो)

[सं. यू-12012/107/2002-एम ई(पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1048.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against "Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh" under the heading 'Recognized Medical Qualification' [in column (2)] and under the heading 'Abbreviation for Registration' [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a Recognized Medical Qualification when granted by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh after April, 2008 in respect of students trained at Dr. Pinnamneni Siddhartha Institute of Medical Sciences and Research Foundation, Chinoutpalli, Krishna District, Andhra Pradesh)

[No. U-12012/107/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 17 मार्च, 2009

का.आ. 1049.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद एतद्द्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में “डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश” के सामने शीर्षक ‘मान्यताप्राप्त चिकित्सा अर्हता’ [स्तंभ (2) में] और शीर्षक ‘पंजीकरण के लिए संक्षेपण’ [स्तंभ (3) में] निम्नलिखित अन्तःस्थापित किया जाएगा, अर्थात्:—

(2)	(3)
आयुर्विज्ञान और शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह एनआरआई मेडिकल कालेज, गुंटूर, आंध्र प्रदेश में प्रशिक्षित किए जा रहे छात्रों के संबंध में डॉ. एनटीआर स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा अप्रैल, 2008 के बाद प्रदान की गई हो)

[सं. यू-12012/130/2002-एम ई(पी-II)]
एन. बारिक, अवर सचिव

New Delhi, the 17th March, 2009

S.O. 1049.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule against “Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh” under the heading ‘Recognized Medical Qualification’ [in column (2)] and under the heading ‘Abbreviation for Registration’ [in column (3)], the following shall be inserted, namely:—

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a Recognized Medical Qualification when granted by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh after April, 2008 in respect of students trained at NRI Medical College, Guntur, Andhra Pradesh)

[No. U-12012/130/2002-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 20 मार्च, 2009

का.आ. 1050.—केन्द्र सरकार भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की प्रथम अनुसूची में एतद्द्वारा निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त प्रथम अनुसूची में “कालेज ऑफ फिजिशियन्स एण्ड सर्जन, बम्बई और उससे संबंधित प्रविष्टियों के बाद “डॉ. डी वाई पाटिल यूनिवर्सिटी पिम्परी, पुणे” जोड़ा जाएगा और डा. डी वाई पाटिल यूनिवर्सिटी पिम्परी, पुणे के सामने “मान्यताप्राप्त चिकित्सा अर्हता” इसके पश्चात् स्तंभ (2) के रूप में संदर्भित और “पंजीयन के लिए संक्षेपण” (इसके अंतर्गत स्तंभ (3) के रूप में संदर्भित) शीर्षक के अंतर्गत निम्नलिखित अन्तः स्थापित किया जाएगा, अर्थात्:—

मान्यताप्राप्त चिकित्सा अर्हता	पंजीयन के लिए संक्षेपण
(2)	(3)
आयुर्विज्ञान तथा शल्य विज्ञान स्नातक	एम.बी.बी.एस. (यह एक मान्यताप्राप्त चिकित्सा अर्हता होगी यदि यह डॉ. डी वाई पाटिल प्रतिष्ठान मेडिकल कालेज, पिम्परी, पुणे महाराष्ट्र में प्रशिक्षित किए जा रहे छात्रों के संबंध में दिसम्बर 2007 के बाद प्रदान की गई हो)

[फा. सं. यू-12012/590/2007-एम ई(पी-II)]

एन. बारिक, अवर सचिव

New Delhi, the 20th March, 2009

S.O. 1050.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said First Schedule after “College of Physicians and Surgeons, Bombay” and entries relating thereto “Dr. D.Y. Patil University, Pimpri, Pune, Maharashtra” shall be added and against “Dr. D.Y. Patil University, Pimpri, Pune, Maharashtra” under the heading ‘Recognized Medical Qualification’ [herein after referred to as column (2)], and under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column(3)], the following shall be inserted, namely:—

Recognized Medical Qualification

Abbreviation for Registration

(2)	(3)
Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (This shall be a recognized medical qualification when granted after December, 2007 by Dr. D.Y. Patil University, Pimpri, Pune, Maharashtra in respect of students of being tained at Dr. D.Y. Patil University, Pimpri, Pune, Maharashtra).

[No. U.12012/590/2007-ME(P-II)]

N. BARIK, Under Secy.

नई दिल्ली, 8 अप्रैल, 2009

का.आ. 1051.—चार्ल्स यूनिवर्सिटी, फर्स्ट मेडिकल फैकल्टी, प्राग, चेक रिपब्लिक द्वारा प्रदत्त आयुर्विज्ञान वाचस्पति चिकित्सा अर्हता भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनार्थ उक्त अधिनियम की धारा 14 के तहत एक मान्यताप्राप्त चिकित्सा अर्हता है;

डा. माइकल कैपकोवा, चेक नागरिक जो उक्त अर्हता धारण करते हैं, आर्टेमिस मेडिकेयर सर्विसेज प्राइवेट लिमिटेड, गुडगांव से धर्मार्थ कार्य, न कि वैयक्तिक लाभ के प्रयोजनार्थ जुड़े हैं;

अतः, अब, उक्त अधिनियम की धारा 14 की उप-धारा (1) के खंड (ग) के अनुसरण में, केंद्र सरकार एतद्वारा विनिर्दिष्ट करती है कि डॉ. माइकल कैपकोवा द्वारा भारत में आयुर्विज्ञान की प्रैक्टिस की अवधि निम्नलिखित तक सीमित रहेगी :—

(क) एक वर्ष की अवधि अर्थात् दिसम्बर, 2008 और उससे आगे; अथवा

(ख) उस अवधि तक जिसके दौरान डॉ. माइकल कैपकोवा आर्टेमिस मेडिकेयर सर्विसेज प्राइवेट लिमिटेड, गुडगांव से जुड़े हैं, इनमें से जो भी कम हो।

[सं. बी-11016/14/2008-एम ई(नीति-1) पार्ट-1]

के. बी. एस. राव, उप सचिव

New Delhi, the 8th April, 2009

S.O. 1051.—Whereas medical qualification Doctor of Medicine granted by The Charles University, First Medical Faculty, Prague, Czech Republic is recognized medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956) under Section 14 of the said act;

Whereas medical qualification Doctor of Medicine granted by The Charles University, First Medical Faculty,

Prague, Czech Republic is a recognized medical qualification for the purpose of the Indian Medical Council Act, 1956 (102 of 1956).

And whereas Dr. Michaela Kapcova, Czech National who possess the said qualification is attached to Artemis Medicare Services Private Ltd., Gurgaon for the purpose of charitable work and not for personal gain:

Now, therefore, in pursuance of clause (c) of the sub-section (1) of the Section 14 of the said Act, The Central Government hereby specifies that the period of practice of medicine by Dr. Michaela Kapcova in India shall be limited to :—

(a) a period of One year i.e. from December. 2008 onwards; or

(b) the period during which Dr. Michaela Kapcova is attached to Artemis Medicare Services Private Ltd., Gurgaon whichever is shorter.

[No. V.11016/14/2008-ME (Policy-I) Pt.]

K. V. S. RAO, Dy. Secy.

उत्तर-पूर्व क्षेत्र विकास मंत्रालय

नई दिल्ली, 16 मार्च, 2009

का.आ. 1052.—माननीय राष्ट्रपति, श्री यू. के. संगमा, भा.प्र.से. (जेएच : 78), संवर्ग में, अपर सचिव के स्तर पर, को अपर सचिव के स्तर तथा वेतनमान में, पूर्वोत्तर परिषद् सचिवालय, शिलांग, उत्तर-पूर्व क्षेत्र विकास मंत्रालय में 3 मार्च, 2009 (पूर्वाह्न) से 3 वर्षों के लिए अथवा अगले आदेशों तक, जो भी पहले हो, सचिव नियुक्त करेंगे हैं।

[सं. 1/3/2006-प्रशा.]

अशोली चलाई, उप सचिव

MINISTRY OF DEVELOPMENT OF NORTH EASTERN REGION

New Delhi, the 16th March, 2009

S.O. 1052.—The President is pleased to appoint Shri U. K. Sangma, IAS (JH : 78), in the cadre, at the level of Additional Secretary, in the rank and pay of Additional Secretary in the post of Secretary, North Eastern Council Secretariat, Shillong, Ministry of Development of North Eastern Region with effect from 3rd March, 2009 (F.N.) on a 3 (three) years tenure or until further orders, whichever is earlier.

[No. 1/3/2006-Admn.]

ASHOLI CHALAI, Dy. Secy.

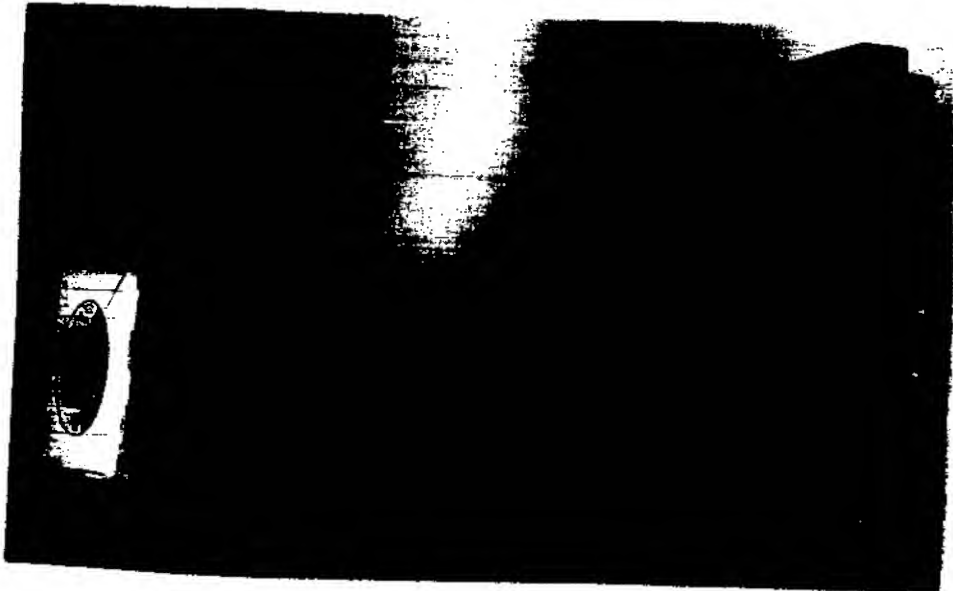
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय
(उपभोक्ता मामले विभाग)

नई दिल्ली, 4 जुलाई, 2008

का.आ. 1053.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स इम्पायर वेइंग सिस्टम्स प्रा. लि., 5/533, गार्गो बिल्डिंग, शक्ति नगर इंडस्ट्रियल एरिया, गुलार रोड, अलीगढ़-202001, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एल पी एफ" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "काइनेटिक स्केल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/217 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

तुला को सील करने के लिए सूचक के ऊपरी भाग और आधार को सील करने के तार द्वारा सीलबंद किया जाएगा तथा विपरीत कार्नर के स्टड पर सत्यापन स्टैम्प को पेच की जाएगी। सील को तोड़ें बिना उपकरण को खोला नहीं जा सकेगा। मॉडल को सीलबंद करने का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मैन, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (94)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 4th July, 2008

S.O. 1053.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of medium accuracy (Accuracy class-III) of series "LPF" and with brand name "KINETIC SCALE" (hereinafter referred to as the said model), manufactured by M/s. Empire Weighing Systems pvt., Ltd., 5/533, Gargo Building, Shakti Nagar Industrial Area, Gular Road, Aligarh-202001, U. P. and which is assigned the approval mark IND/09/08/217;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 300kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hz alternative current power supply.

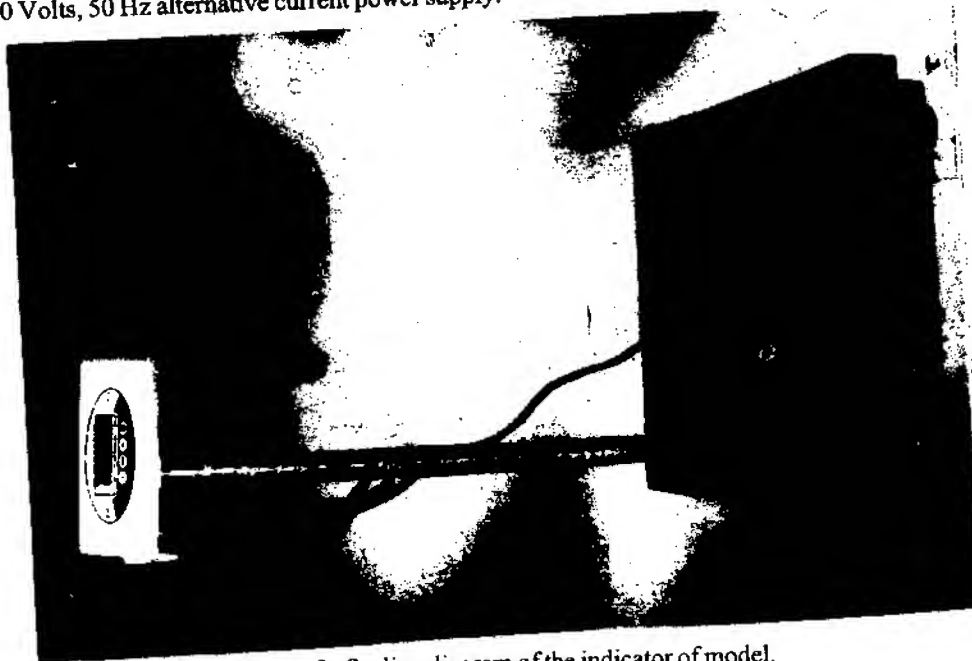


Figure-2 : Sealing diagram of the indicator of model.

For sealing the balance the upper body and the base of the indicator is being sealed by sealing wire and stud from the opposite corner where the verification stamp is punched. The instrument can not be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21(94)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 1055.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सुमो डिजिटल टेक्नोलॉजी प्रा. लि., अमजोक तिनाली, जरवा कमर्शियल कॉम्प्लेक्स, पो.आ.बामीहट, जिला रि-भाई, मेघालय द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “डीपीपी-3” शृंखला स्वतः सूचक, अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम “ड्रेगन पांडा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/189 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 2,000 कि.ग्रा. है और न्यूनतम क्षमता 10 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यक्लनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

मशीन के तल साइड पर उपकरण के ढांचे पर उपलब्ध किए गए छेदों के जरिए “लीड एंड वायर” का उपयोग करते हुए सीलबंद की जा सकेगी। मॉडल को सीलबंद करने का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (165)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 1055.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic, (Platform type) weighing instrument with digital indication of "DPP-3" series of medium accuracy (Accuracy class-III) and with brand name "Dragon Panda" (hereinafter referred to as the said model), manufactured by M/s. Sumo Digital Technology Pvt. Ltd., Amjok Tinali, Jarwa Commercial Complex, P.O. Bamihat, Distt. Ri-Bhoi, Meghalaya and which is assigned the approval mark IND/09/08/189 ;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 2000 kg. and minimum capacity of 10kg. The verification scale interval (e) is 500 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hz alternative current power supply.

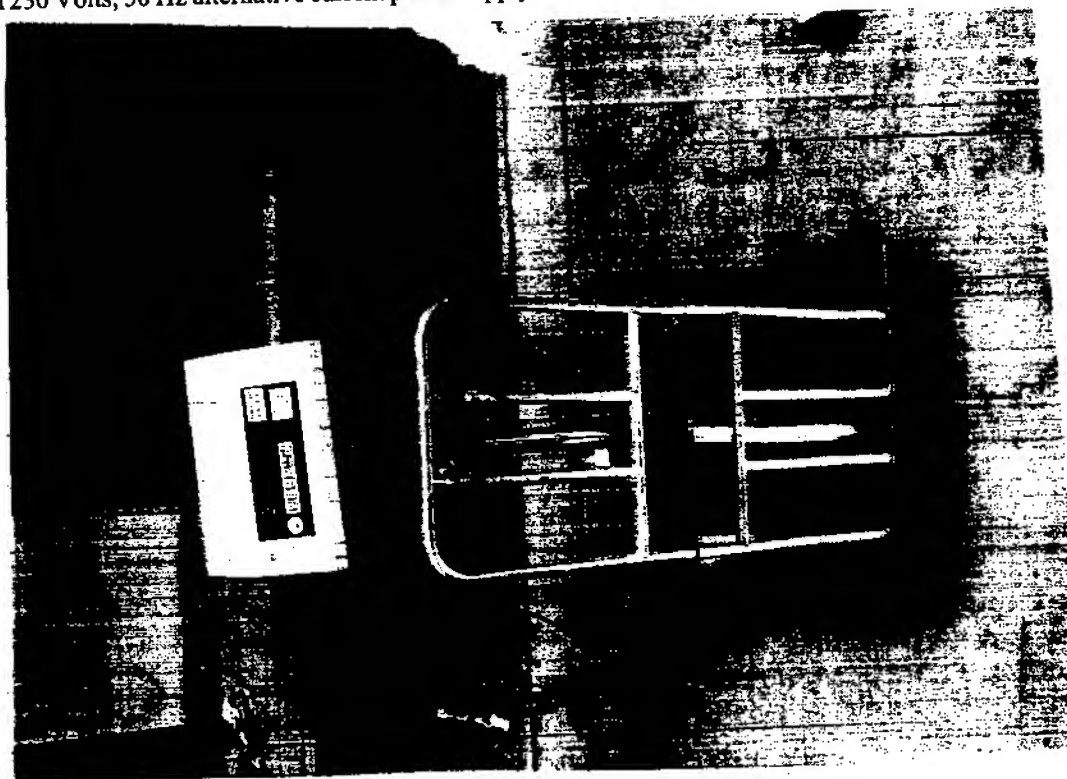


Figure-2 :Schematic arrangement of sealing arrangement

The sealing can be done by applying "lead and wire" seal through the holes provided on the body of the indicator at the rear side of the machine. A typical schematic diagram of the sealing arrangement of the model has been given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity above 50 kg. and up to 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(165)/2007]

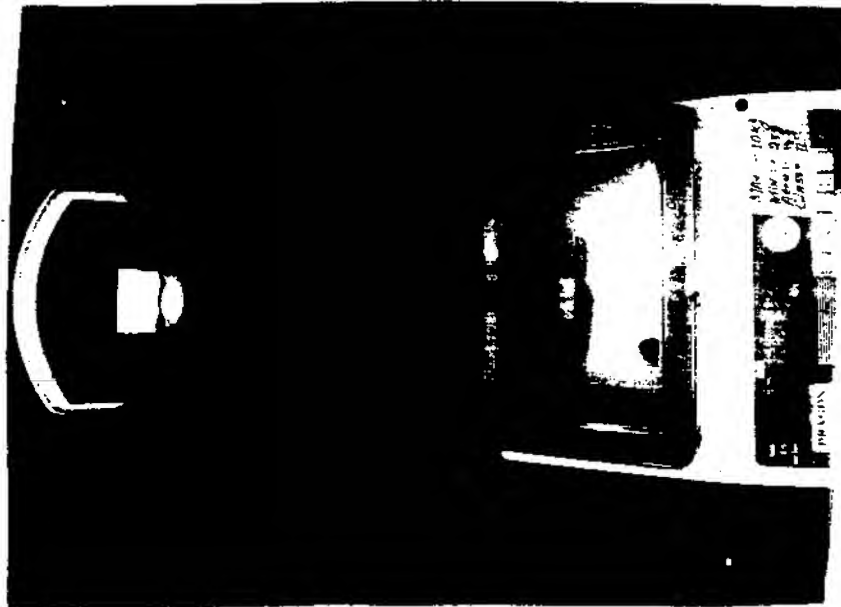
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 1056.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सुमो डिजिटल टेक्नोलॉजी प्रा. लि., अमजोक तिनाली, जरवा कर्मशियल कॉम्प्लैक्स, पो.आ.बामीहट, जिला रि-भोई, मेघालय द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "डीपीटी-2" शृंखला के अंकक सूचन सहित, अस्वचालित तालन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "डूगन पांडा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/187 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तालन उपकरण (टेबलटाप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्शन तालन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

मशीन के तल साइड पर उपकरण के ढांचे पर उपलब्ध किए गए छेदों के जर्गन "लीड एंड वायर" का उपयोग करते हुए सीलबंद की जा सकेगी। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक. यथार्थता और कार्यपालन के तालन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू.एम-21 (165)/2007]

अवर. माथुरब्रथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 1056.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of "DPT-2" series of high accuracy (Accuracy class-II) and with brand name "Dragon Panda" (hereinafter referred to as the said Model), manufactured by M/s. Sumo Digital Technology Pvt. Ltd., Amjok Tinali, Jarwa Commercial Complex, P.O. Bāmihat, Distt. Ri-Bhoi, Meghalaya and which is assigned the approval mark IND/09/08/187;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

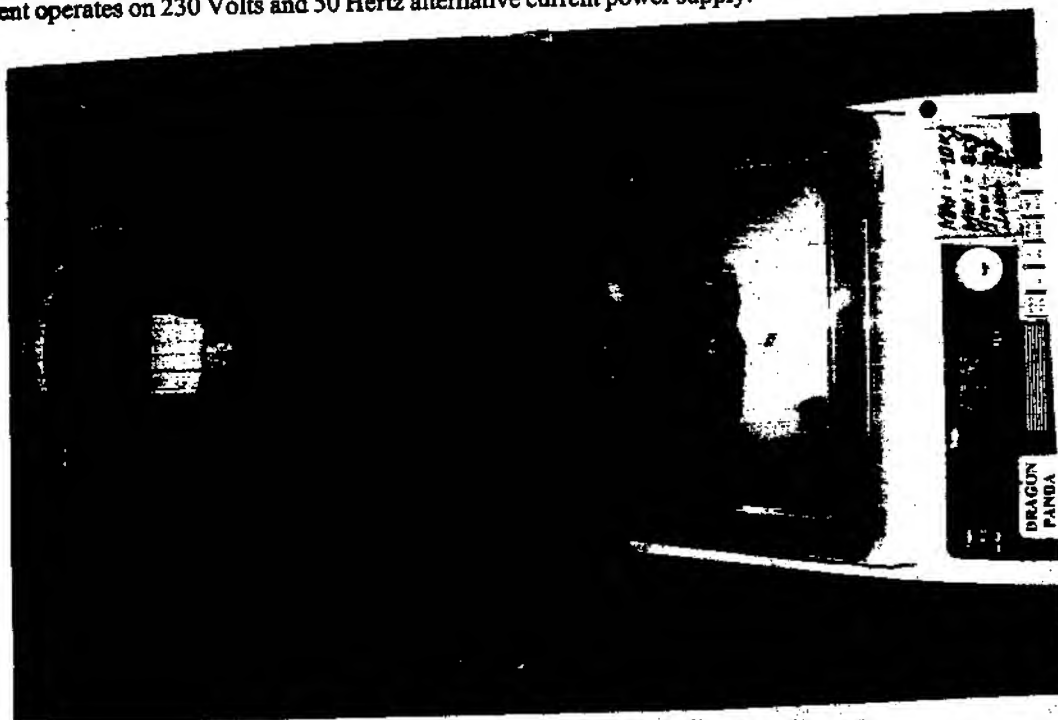


Figure-2 : Schematic arrangement of sealing arrangement

The sealing can be done by applying "lead and wire" seal through the holes provided on the body of the instrument at the bottom side of the machine. A typical schematic diagram of sealing arrangement of the Model has been given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 100 to 50000 for 'e' value of 1 mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved Model has been manufactured.

[F. No. WM-21(165)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

क्र.आ. 1057.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सुमो डिजिटल टेक्नोलॉजी प्रा. लि., अमकोक तिनाली, जरवा कर्मशिवल कॉम्प्लैक्स, पो.आ. बामीहट, जिला रि-भोई, मेघालय द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) कस्ते "डीपीटी-3" शृंखला अंकक सूचन सहित, अस्वच्छालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "डूगन पांडा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/188 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वच्छालित तोलन उपकरण (टेबलटाप प्रकार) का है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है। जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डिस्कोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

तोलन उपकरण के ढांचे पर दिए गए दो बिन्दुओं पर स्टाम्पिंग प्लेट के पास सील बंद किया जाएगा— उपकरण की सील को तोड़े बिना नहीं खोला जा सकेगा। मॉडल को सीलबंद करने का एक प्रारूपी योजनाबद्ध डायग्राम उपराक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (165)/2007]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 1057.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic (Table top type) weighing instrument with digital indication of "DPT-3" series of medium accuracy (Accuracy class-III) and with brand name "Dragon Panda" (herein referred to as the said Model), manufactured by M/s. Sumo Digital Technology Pvt. Ltd., Amjok Tinali, Jarwa Commercial Complex, P.O. Bamihat, Distt. Ri-Bhoi, Meghalaya and which is assigned the approval mark IND/09/08/188;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



Figure-2 :Schematic diagram of sealing provision of the Model

The sealing can be done by applying "lead and wire" seal through the holes provided on the body of the indicator at the bottom side of the machine. A typical schematic diagram of the sealing arrangement of the Model has been given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(165)/2008]

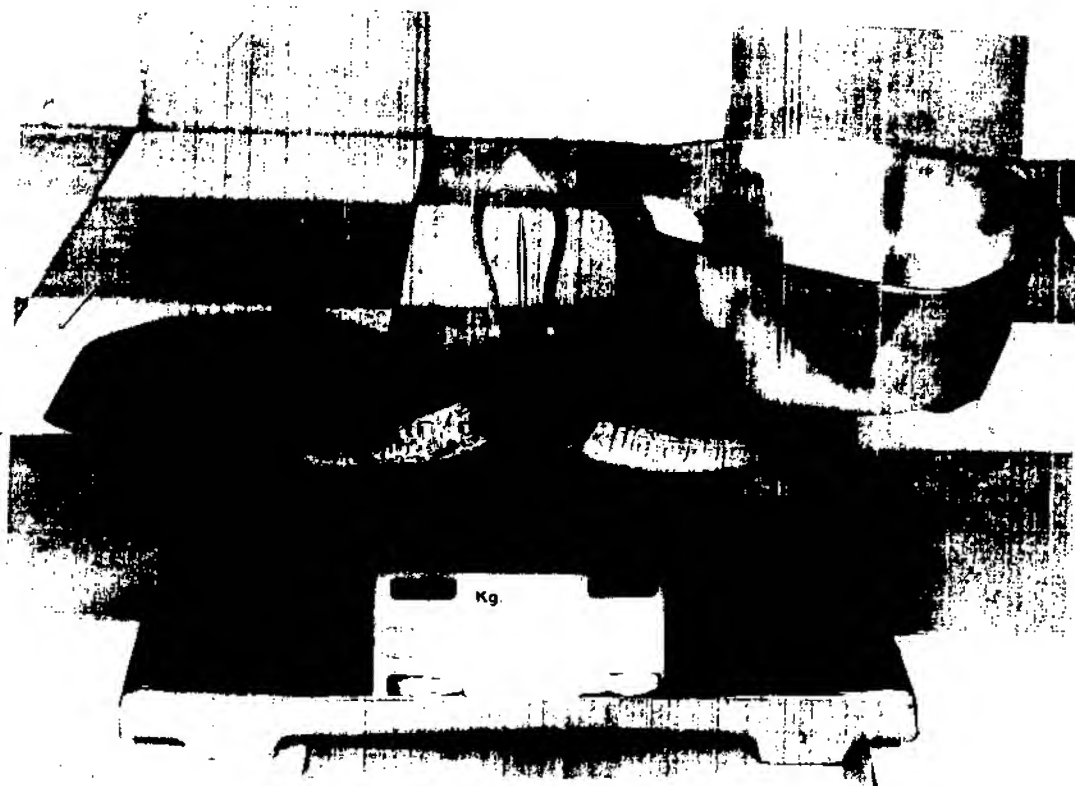
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 1058.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स ग्लोबल स्केल इंडस्ट्रिज, तिराहा मस्जिद हाजी मुनीर, पड़ाव दुबे, आगरा रोड, अलीगढ़-202001, उत्तर प्रदेश द्वारा विनिर्मित "निशान्थी" शृंखला के काउंटर मशीन के मॉडल का, जिसके ब्रांड का नाम "ग्लोबल" है और जिसे अनुमोदन चिह्न आई एन डी/09/08/265 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक काउंटर मशीन है जो लीवर के सिद्धांत पर कार्य करता है जिसकी अधिकतम क्षमता 10 कि.ग्रा. है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 500 ग्रा. से 50 कि. ग्रा. तक की अधिकतम रेंज की क्षमता वाले हों।

[फा. सं. डब्ल्यू एम-21 (105)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 30th December, 2008

S.O. 1058.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of counter machine of series "NISHANTHI" and with brand name "GLOBAL" (hereinafter referred to as the said model), manufactured by M/s. Global Scale Industries, Tiraha Masjid Haji Munir, Parao Dubey, Agra Road, Aligarh-202001, U. P. and which is assigned the approval mark IND/09/08/265;

The said model is a Counter Machine working on the principle of lever with a maximum capacity of 10kg.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 500g. to 50kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(105)/2008]

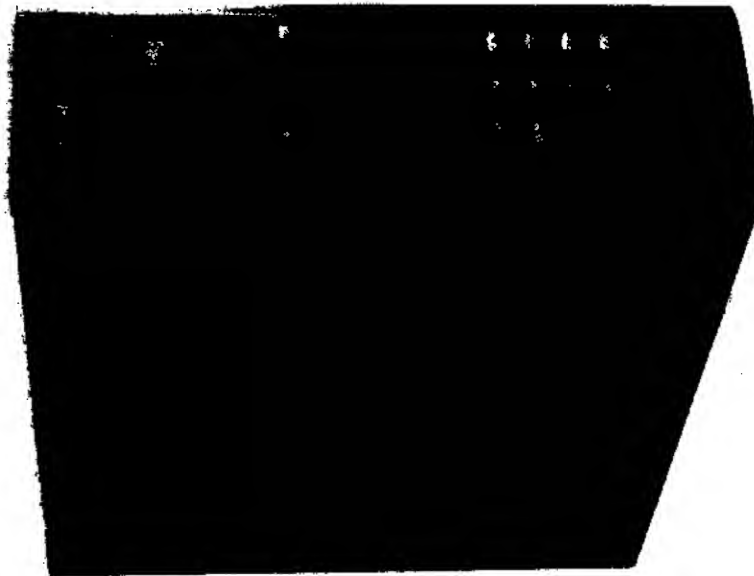
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 30 दिसम्बर, 2008

का.आ. 1059.—केन्द्रीय सरकार का, एन एम आई नीदरलैंड मीट्रिस्टिट नीदरलैंड में इस प्रयोज हेतु एक निकाय द्वारा पेटर्न मूल्यांकन रिपोर्ट और परीक्षण परिणामों को मंजूर करने और अनुमोदित करने के साथ, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) और उप-धारा (7) और उप-धारा (8) के तीसरे परन्तुक द्वारा शक्तियों को प्रयोग करते हुए मैसर्स इमर्सन प्रोसेस मैनेजमेंट, फ्लो कम्प्यूटर डिवाइजन, आउटगैंग लेन, पिकरिंग, नार्थ यार्कशायर, यू.के. द्वारा विनिर्मित और मैसर्स डेनियल मेजरमेंट एंड कंट्रोल इंडिया प्रा. लि., प्लॉट नं. 229-300, जीआईडीसी, मरकपुरा, वड़ोदरा-390010, गुजरात द्वारा भारत में विपणीत यथार्थता वर्ग 0.3 वाले “FloBoss S600” शृंखला के “Measuring system for liquids other than water” है जिस का नाम “electronic calculating and indicating device” है जिसे के ब्रांड का नाम “Emerson Process Management” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) के माडल और जिसे अनुमोदन चिन्ह आई एन डी/09/08/568 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल “Measuring system for liquids other than water” एक घटक है, जिस का नाम “electronic calculating and indicating device” है। पानी के अलावा द्रवों को मापन सिस्टम के एक पूर्ण माडल को बनाने के लिए मापन ट्रांसड्यूसर आदि के साथ जोड़ा जाता है, जिसे इसके माडल के अलग से और स्वतंत्र रूप से अनुमोदित किया जाना है। इसका उपयोग द्रव हाइड्रोकार्बनों और गैसों के लिए किया जाता है। इस माडल का डिजाइन विशेषरूप से पाइपलाइन प्रचालन के लिए किया गया है। यह द्रव्यमापन और आयतन 9 अंकों में दर्शाता है तथा विद्युत आपूर्ति 24 डी सी है। प्रदर्श लिक्विड क्रिस्टल डिस्प्ले (एलसीडी) टाइप है। द्रव्यमान और आधार अवस्थाओं पर आयतन और वास्तविक अवस्था में, एक अलग स्क्रीन पर उपदर्शित किए जाते हैं। उक्त फ्लो कम्प्यूटर को एक से अधिक मीटरों में जोड़ने के लिए बनाया गया है। इसका परिचालन तापमान 0°C से +60°C की रैंज में होता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

स्टाम्पिंग प्लेट को सील करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए भी सीलबंद किया जाएगा तथा माडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम निष्पादन सिद्धांत आदि की शर्तों पर परिवर्तित नहीं किया जाएगा। माडल को सीलबंद करने की व्यवस्था का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

[फा. सं. डब्ल्यू एम-21 (84)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

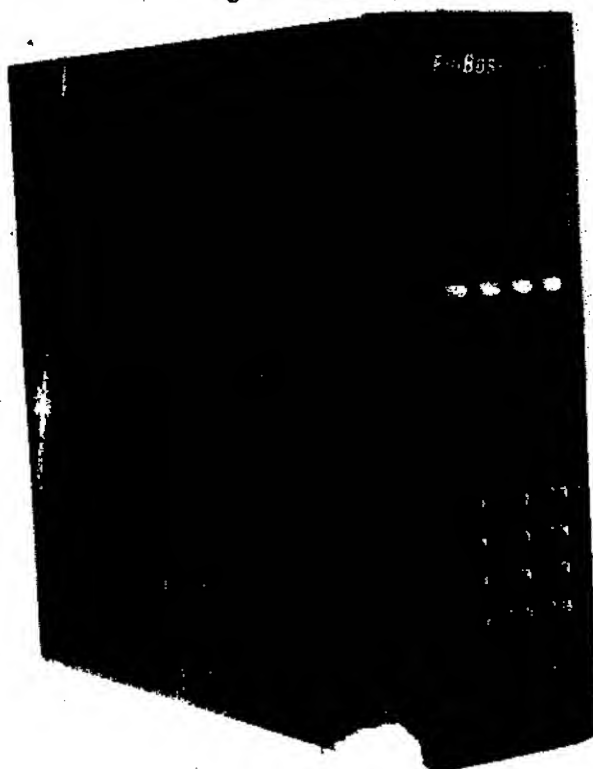
New Delhi, the 30th December, 2008

S.O. 1059.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, along with the pattern evaluation report and the test results granted and approved by the NMI Netherlands Meetinstituut, a notified body for the purpose in the Netherlands, is satisfied that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub section (3) and sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of a component of 'Measuring system for liquids other than water' namely an "electronic calculating and indicating device" of accuracy class 0.3 and of series "FloBoss S600" and brand 'Emerson Process Management' (hereinafter referred to as the models, manufactured by M/s. Emerson Process Management, Flow Computer Division, Outgang Lane, Pickering, North Yorkshire, U.K. and marketed in India by M/s. Daniel Measurement & Control India Pvt. Ltd, Plot No. 229-300 GIDC, Markarpura, Vadodara-390010, Gujarat and which is assigned the approval mark IND/09/08/568.

The said model is a component of 'Measuring system for liquids other than water' namely an "electronic calculating and indicating device". It is to be connected to the measurement transducer etc., to make up a complete model of 'Measuring system for liquids other than water' which is to be approved of its model separately and independently. It is used for measurement of liquid hydrocarbons and gases. The model has been specifically design for pipe line operation. Its mass and volume indication is of 9 digits and power supply is 24 DC. The display is of liquid crystal display (LCD) type. The mass, volume at base conditions and volume at actual condition are displayed in separate screen. The said flow computer is made for connection to more than one meter. The operating temperature range is from 0°C+60°C.

Figure-1 Model



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. A typical schematic diagram of the sealing arrangement of the model has been given above.

[F. No. WM-21(84)/2007]

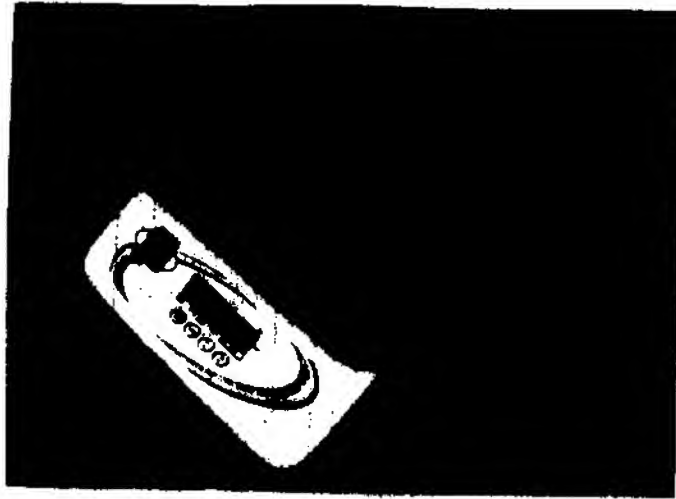
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

क्र.आ. 1060.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स श्री राधागोविन्द स्केल, 17, पुष्पांजलि कालोनी, सजाई माधोपुर रेलवे लाइन टॉक फाटक के पास, जयपुर, राजस्थान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "आर जी एच" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एसआरजी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/53 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदेशित करता है। उपकरण 250 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सर्किट डायग्राम और मैकेनिकल एसेम्बली की सुरक्षा के लिए वेडिंग स्केल की दोनों विपरीत दिशाओं में दो सील लगाई गई हैं। वेडिंग स्केल के बेस और कवर को हैड होल स्क्रू द्वारा जोड़ा जाता है और इन स्क्रू में से सीलिंग तार निकाल कर लीड सील से सीलबंद किया जाता है। लीड सील तोड़ बिना मशीन को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (11)/2008]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1060.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of Series "RGH" and with brand name "SRG" (hereinafter referred to as the said model), manufactured by M/s. Shri Radhagovind Scale, 17, Pushpanjali Colony, Near Sawai Madhopur Railway Line Tonk Phatak, Jaipur, Rajasthan and which is assigned the approval mark IND/09/08/53;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 V, 50 Hz alternate current power supply.



Figure : 2 Schematic diagram of the model

There are two seals at the two opposite sides of the weighing scale for the security of circuit diagram and mechanical assembly. Base and cover of the weighing scale are connected with head whole screw and sealing wire is passed through these screws and then sealed with lead seal. The machine can not be opened without breaking the lead seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (11)/2008]

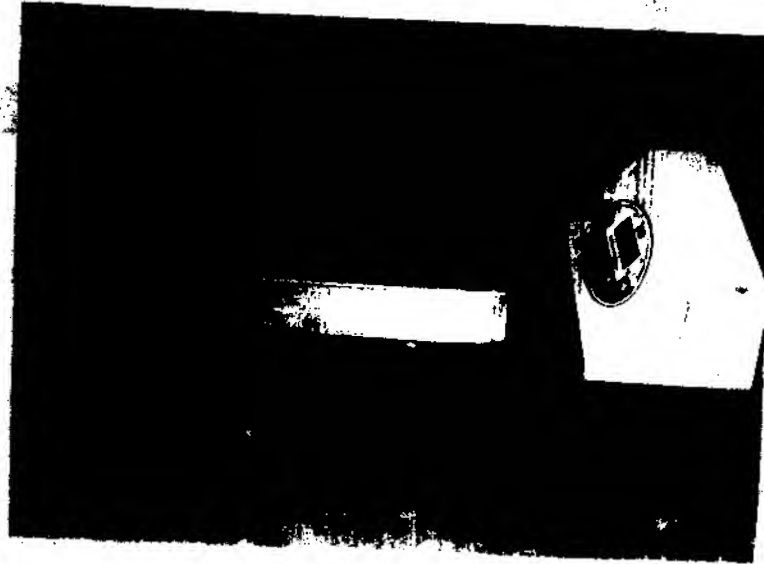
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1061.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स इन्टेक्स स्केल्स एंड सिस्टम, एफ-3/87, सेक्टर-15, रोहिणी, दिल्ली-110085 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "IXPF" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "इनटेक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/239 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से रोकने के लिए सीलिंग प्वाइंट को स्टैम्पिंग प्लेट पर चिपका दिया जाता है और वेइंग स्केल के सूचक के बेस और आउटर कवर को जोड़ दिया जाता है तथा उसके बाद स्टैम्पिंग प्लेट के साथ-साथ इन छेदों में से एक विशेष प्रकार की गुणवत्ता वाले धातु के तार को पास किया जाता है और उसके बाद लीड सील से उसे सील कर दिया जाता है। सील तोड़ने बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (110)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1061.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series "IXPF" and with brand name "INTEX" (hereinafter referred to as the said model) manufactured by M/s. Intex Scales & System, F-3/87, Sector-15, Rohini, Delhi-110085 and which is assigned the approval mark IND/09/08/239;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

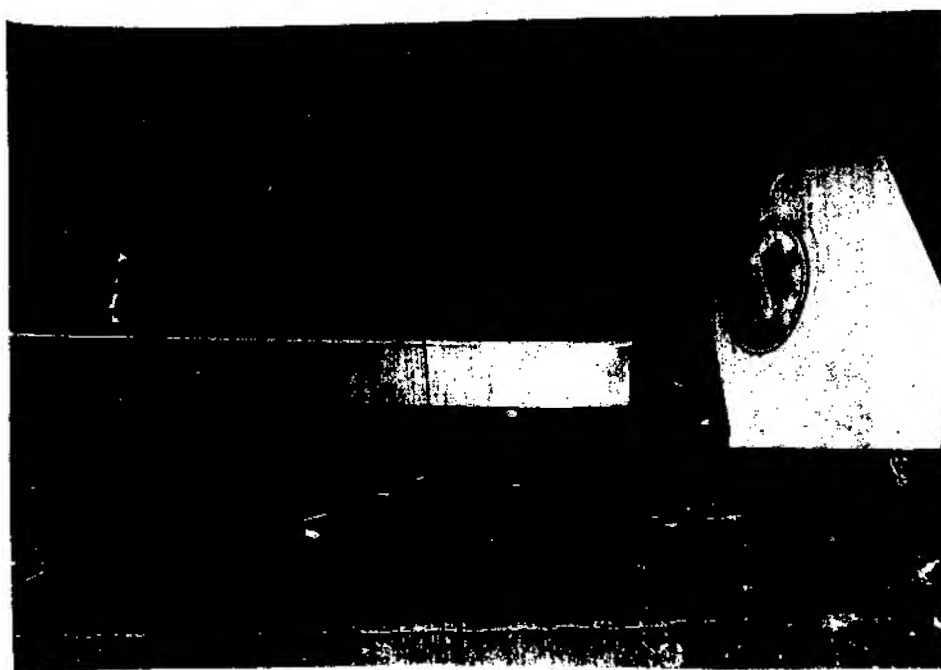


Figure 2 Sealing provision of the indicator of model

Lead seal is affixed on the stamping plate to avoid the fraudulent use, the base and outer cover of the indicator of the weighing scale are joined with head whole screws at the four corners of the indicator and then a special quality metal wire passes through these holes along with the stamping plate and then sealed by the lead seal. The indicator can not be opened without breaking the seals. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and upto 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (110)/2008]

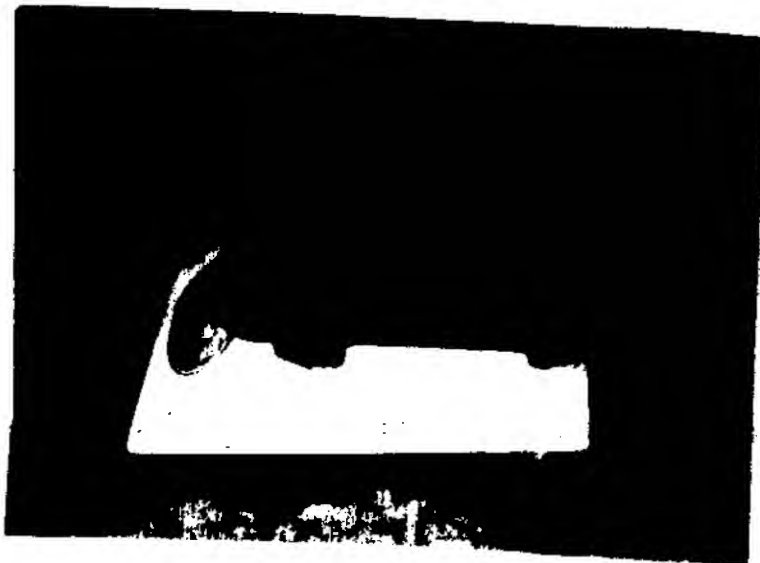
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1062.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अंशध में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स इन्टेक्स स्केल्स एंड सिस्टम, एफ-3/87, सेक्टर-15, रोहिणी, दिल्ली-110085 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "IXIT" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "इनटेक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/240 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से रोकने के लिए सीलिंग प्वाइंट के स्टैम्पिंग प्लेट पर चिपका दिया जाता है और वेइंग स्केल के सूचक के बेस और आउटर कवर को जोड़ दिया जाता है तथा उसके बाद स्टैम्पिंग प्लेट के साथ-साथ इन छेदों में से एक विशेष प्रकार की गुणवत्ता वाले धातु के तार को पास किया जाता है और उसके बाद लीड सील से उसे सील कर दिया जाता है। सील तोड़ें बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (110)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1062.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of Series "IXTT" and with brand name "INTEX" (hereinafter referred to as the said model), manufactured by M/s. Intex Scales & System, F-3/87, Sector-15, Rohini, Delhi-110085 and which is assigned the approval mark IND/09/08/240;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50 Hz alternate current power supply.

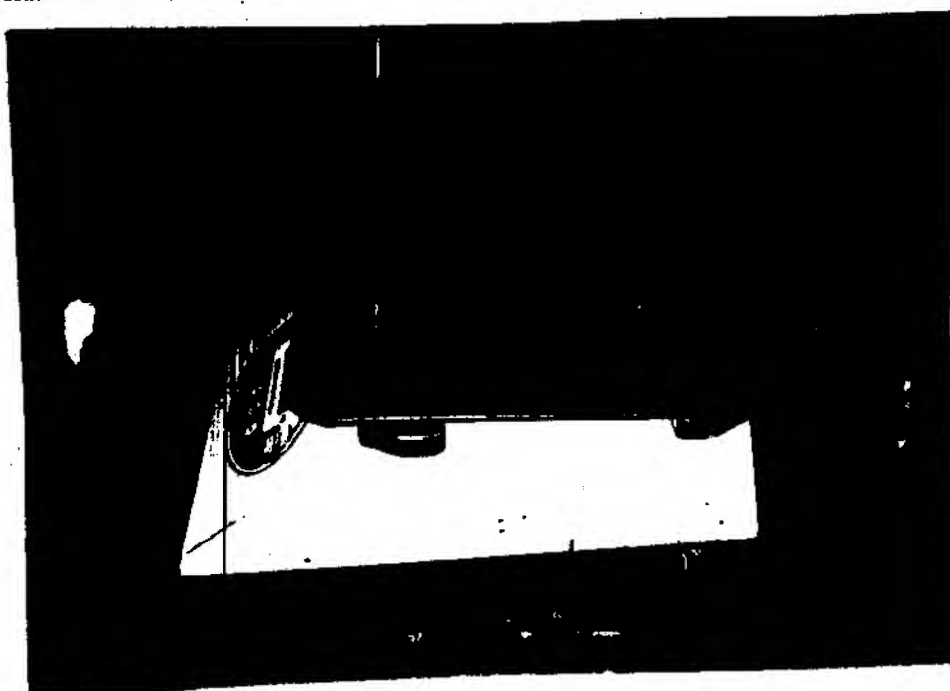


Figure 2 : Schematic diagram of the model

Lead seal is affixed on the stamping plate to avoid the fraudulent use, the base and outer cover of the weighing scale are joined with head whole screws at the four corners of the instrument and then a special quality metal wire passes through these holes along with the stamping plate and then sealed by the lead seal. The machine can not be opened without breaking the seals. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (110)/2008]

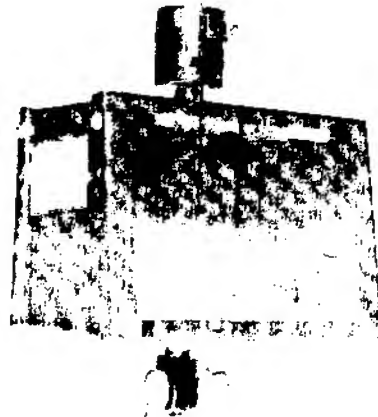
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1063.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूनाइटेड स्केल्स कं. प्रा. लि., 314 सोमवार पीठ, जे.के. क्लासिक बिल्डिंग, पुणे-411011 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग III) “यूएससी” श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (क्रैन टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूनीस्को” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/583 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। (क्रैन टाइप) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इंडीकेटर की स्टाम्पिंग प्लेट को पेंच और तल प्लेट तथा शीर्ष कवर में किए गए छेदों के जरिये सीलिंग तार को डालते हुए स्थिर किया जाता है जिसे लीड सील द्वारा सील की जाती है। सील को तोड़े बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या-शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (227)/2007]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1063.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Crane type) with digital indication of medium accuracy (Accuracy class-III) of Series "USC" HSC and with brand name "UNISCO" (hereinafter referred to as the said model), manufactured by M/s. United Scales Co. Pvt. Ltd., 314 Somwar Peth, J.K. Classic Building, Pune-411011 and which is assigned the approval mark IND/09/08/583;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane type) with a maximum capacity of 500kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

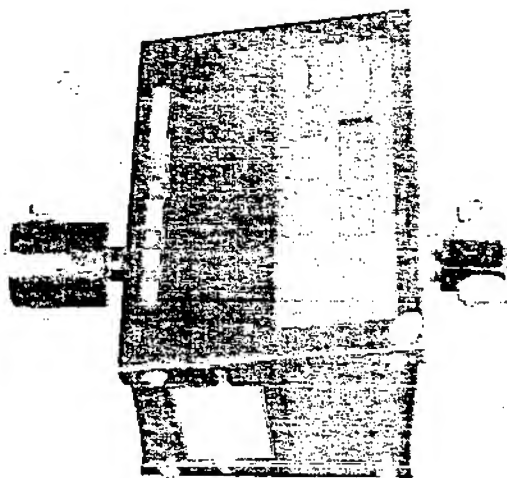


Figure 2 : Sealing diagram of the sealing provision of the model

Stamping plate is fixed by screw and sealing wire passed through the holes made in the bottom plate and top cover of the indicator which is sealed by the lead seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (227)/2007]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1064.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूनाइटेड स्केल्स कं. प्रा. लि., 314 सोमवार पीठ, जे.के. क्लासिक बिल्डिंग, पुणे-411011 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “यूएससी एमडब्ल्यूएस” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टैंक वेइंग टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूनीस्को” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/582 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। (टैंक वेइंग टाइप) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इंडीकेटर की स्ट्याम्पिंग प्लेट को पेंच और तल प्लेट तथा शीर्ष कवर में किए गए छेदों के जरिये सीलिंग तार को डालते हुए स्थिर किया जाता है जिसे लीड सील द्वारा सील की जाती है। सील को तोड़े बिना इंडिकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (227)/2007]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1064.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tank Weighing type) with digital indication of medium accuracy (Accuracy class-III) of "USC MWS" series and with brand name "UNISCO" (hereinafter referred to as the said model), manufactured by M/s. United Scales Co. Pvt. Ltd., 314 Somwar Peth, J.K. Classic Building, Pune-411011 and which is assigned the approval mark IND/09/08/582;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tank Weighing type) with a maximum capacity of 300kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.



Figure 2 : Sealing diagram of the sealing provision of the model

Stamping plate is fixed by screw and sealing wire passed through the holes made in the bottom plate and top cover of the indicator which is sealed by the lead seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (227)/2007]

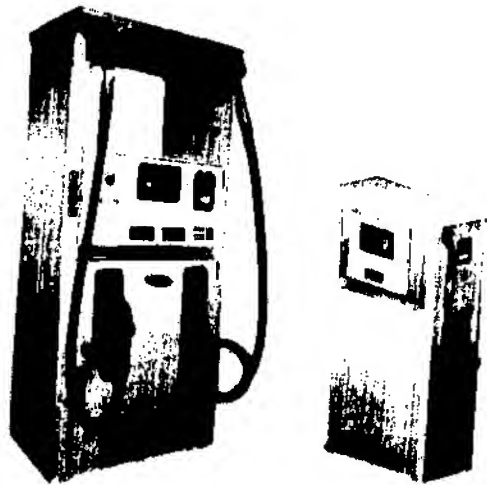
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1065.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मिडको लिमिटेड, मेट्रो एस्टेट, विद्यानागरी मार्ग, कलना, मुंबई-400 098 द्वारा विनिर्मित "SURE FILL" श्रृंखला के इलेक्ट्रॉनिक डिस्पेंसिंग पम्प अंकक सूचन सहित, के मॉडल का, जिसके ब्रांड का नाम "MIDCO" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन पत्र आई एन डी/09/08/292 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

इलेक्ट्रॉनिक केलिब्रेशन और इलेक्ट्रोमैकेनिकल टोटलाइजर जो पाब्लिटि डिस्प्लेस में मीटर के सिद्धांत पर कार्य करते हैं, सहित उक्त माडल एक इलेक्ट्रॉनिक डिस्पेंसिंग पम्प है। इसकी प्रवाह दर 40 ली. प्रति मिनट से 70 ली. प्रति मिनट की रेंज में है और न्यूनतम इकाई 10 मि.ली. है। इसमें 6 अंकों का सूचन मूल्य सूचक के लिए है, टोटलाइजर के लिए 7 अंक और फ्यूल रजिस्टर (9999.99) 6 अंकों का है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 220 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। पेट्रोलियम उत्पादों के मूल्य और आयात के लिए मॉडल में स्वचालित रिसेट और प्री-सेट सुविधा भी है।



SureFill Series

मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

पम्प को सील करने के लिए मीटर एसेम्बली के शीर्ष पेच के छेदों और सीलिंग बोल्ट के जरिये सील तार को डाला जाता है। बाद में मीटर को खोलने से रोकने के लिए लीड सील लगाई जाती है। माडल को सीलबंद करने का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

[फा. सं. डब्ल्यू एम-21 (290)/2007]

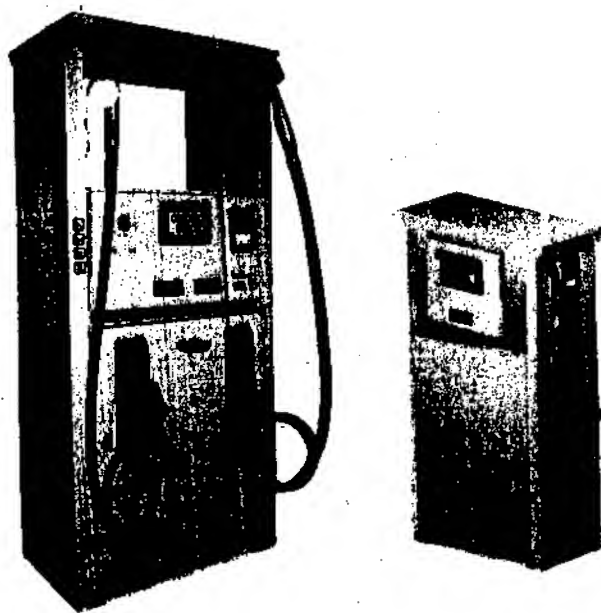
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1065.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves, issues and publishes the certificate of approval of model of Electronic Dispensing Pump with digital indication (hereinafter referred to as said model) of series 'SURE FILL' with brand name "MIDCO", manufactured by M/s. Midco Limited, Metro Estate, Vidyanagri Marg, Kalina, Mumbai-400 098 and which is assigned the approval mark IND/09/08/292;

The said model is an electronic dispensing pump with electronic calibration and electromechanical totalizer, working on the principle of positive displacement meter. Its flow rate is in the range of 40 lpm to 70 lpm and the smallest division is 10ml. It has indication of 6 digits for price indication, 7 digits for totalizer and 6 digits for fuel register (9999.99). The indications of the measurement are displayed on Light Emitting Diode (LED) Display type. It operates on 220 V, 50 Hertz alternate current power supply. The model is also having the automatic reset and pre-set facility for volume and price of the petroleum products.



SureFill Series

Figure-2 Sealing arrangement

For sealing the pump seal wire is passed through the holes of head screw of meter assembly and then through the sealing bolt. Then lead seal is applied to prevent the opening of the meter. A typical schematic diagram of sealing provision of the model is given above.

[F. No. WM-21 (290)/2007]

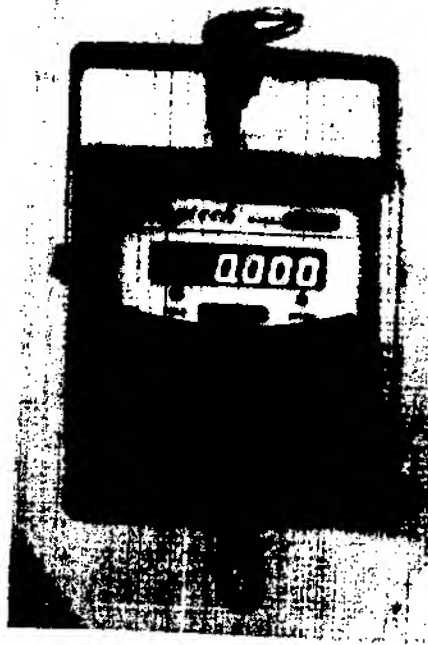
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1066.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेसिफिक इलेक्ट्रॉनिक्स एंड इंस्ट्रूमेंट कं., संगम सिनेमा के पीछे, डा. रतनाकर पाण्डा के सामने, मेहताब रोड, कटक-753012 उड़ीसा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "सी एच" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (हैंगिंग प्रकार) के मॉडल का, जिसके ब्रांड का नाम "किंगटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/447 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 60 कि.ग्रा. है और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावृत्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

उपकरण के इंडीकेटर के तल प्लेट और शीर्ष कवर में छेद करके, इनमें से सील वायर निकाल कर लीड सील द्वारा सील की जा सकती है। सील तोड़ बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (89)/2008]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1066.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Hanging Type) with digital indication of Medium accuracy (Accuracy class-III) of Series "CH" and with brand name "KINGTECH" (hereinafter referred to as the said model), manufactured by M/s. Pacific Electronics & Instrument Co., Behind Sangam Cinema, Opp. Dr. Ratnakar Panda, Mahtab Road, Cuttack-753012, Orissa and which is assigned the approval mark IND/09/08/447;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging type) with a maximum capacity of 60kg and minimum capacity of 400g. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

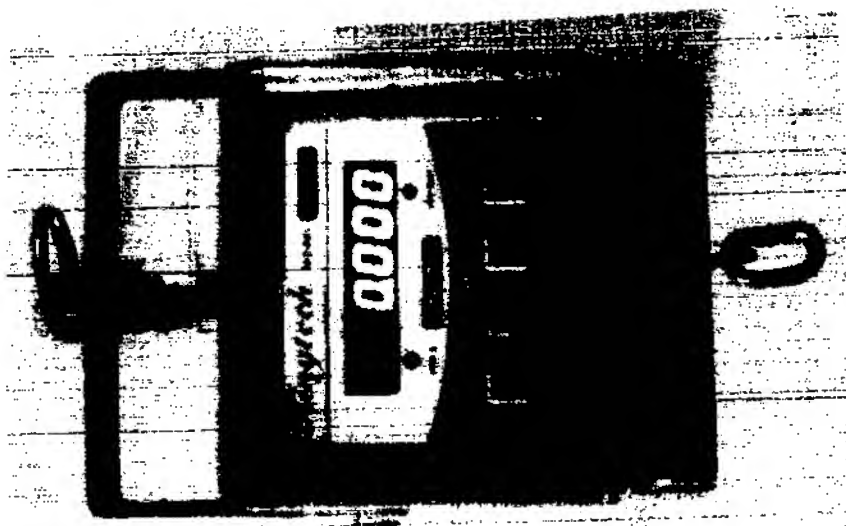


Figure 2 Sealing arrangement

Sealing is done at the stamping plate and at the body of the scale by the sealing wire and lead seal through the holes made in the bottom plate and top cover of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (89)/2008]

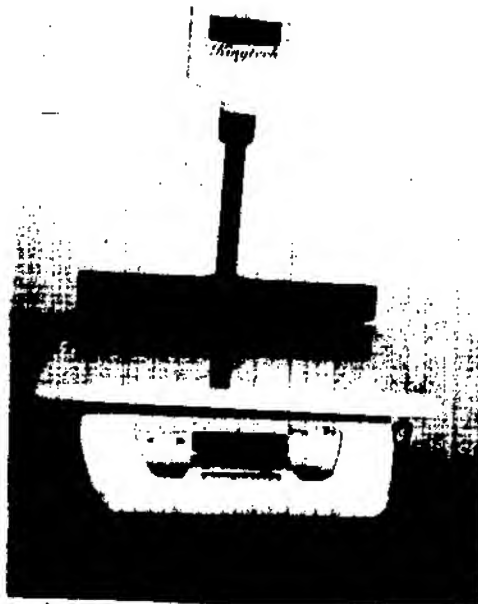
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1067.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स पेंसिफिक इलेक्ट्रोनिक्स एंड इंस्ट्रूमेंट कं., संगम सिनेमा के पोछे, डा. रतनाकर पाण्डा के सामने, मेहताब रोड, कटक-753012 उड़ीसा द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "सी टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "किंगटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/448 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

उपकरण के इंडीकेटर की तल प्लेट और शीर्ष कवर में छेद करके, इनमें से सील वायर निकाल कर लीड सील द्वारा सील की जा सकती है सील तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की क्षमता वाले हैं और "ई" मान 1×10 के, 2×10 के, 5×10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (89)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1067.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of "CT" series of medium accuracy (accuracy class-III) and with brand name "KINGTECH" (hereinafter referred to as the said model), manufactured by M/s. Pacific Electronics & Instrument Co., Behind Sangam Cinema, Opp. Dr. Ratnakar Pands, Mahtab Road, Cuttack-753012, Orissa and which is assigned the approval mark IND/09/08/448;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

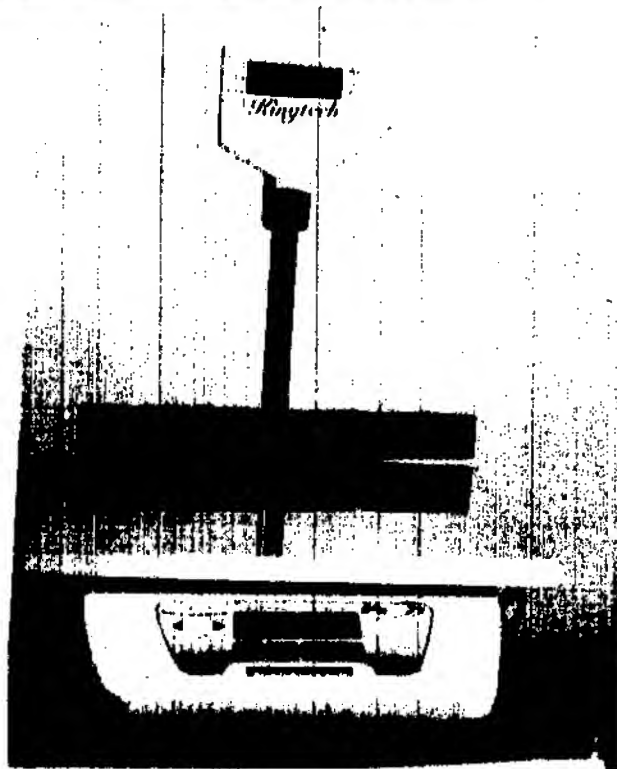


Figure 2 Sealing diagram of the model

Sealing is done at the stamping plate and at the body of the scale by the sealing wire and lead seal through the holes made in the bottom plate and top cover of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (89)/2008]

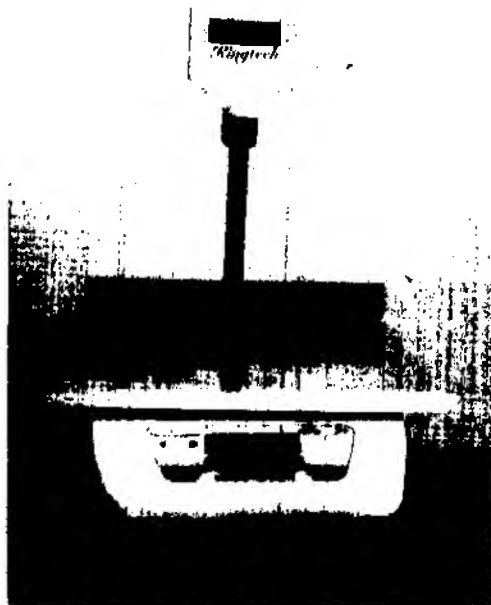
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1068.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडलें यथार्थता बनाए रखेंगी और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स पेसिफिक इलेक्ट्रोनिक्स एंड इंस्ट्रुमेंट कं., संगम सिनेमा के पीछे, डा. रतनाकर पाण्डा के सामने, मेहताब रोड, कटक-753012 उड़ीसा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "सी टी एच" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "किंगटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/449 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावृत्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

उपकरण के इंडीकेटर की तल प्लेट और शीर्ष कवर में छेद करके, इनमें से सील वायर निकाल कर लीड सील द्वारा सील की जा सकती है सील तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (89)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1068.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "CTH" and with brand name "CTH" and with brand name "KINGTECH" (hereinafter referred to as the said model), manufactured by M/s. Pacific Electronics & Instrument Co., Behind Sangam Cinema, Opp. Dr. Ratnakar Pands, Mahtab Road, Cuttack-753012, Orissa and which is assigned the approval mark IND/09/08/449;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

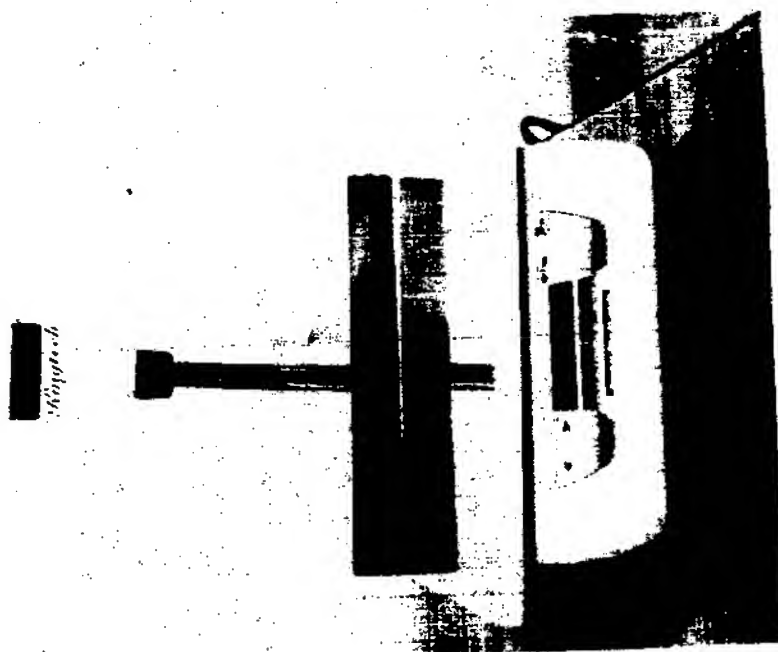


Figure 2 : Schematic diagram of the model.

Sealing is done at the stamping plate and at the body of the scale by the sealing wire and lead seal through the holes made in the bottom plate and top cover of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (89)/2008]

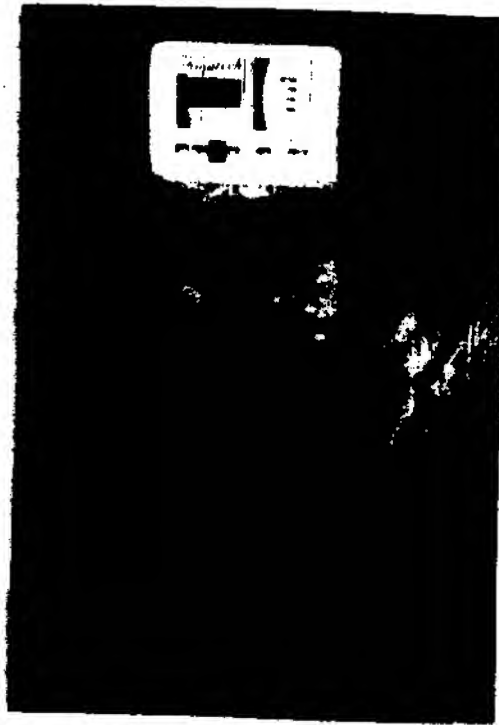
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1069.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स पेसिफिक इलेक्ट्रोनिक्स एंड इस्ट्रूमेंट कं., संगम सिनेमा के पीछे, डा. रत्नकर पाण्डा के सामने, मेहताब रोड, कटक-753012 उड़ीसा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "सी पी एच" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "किंगटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन बिम्ब आई एन डी/09/08/450 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक बिकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण प्लेटफार्म प्रकार है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है और न्यूनतम क्षमता 500 ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम।

उपकरण के इंडीकेटर की तल प्लेट और शीर्ष कवर में छेद करके, इनमें से सील वायर निकाल कर ल.उ सील द्वारा सील की जा सकती है। सील तोड़े बिना उपकरण को खोलना नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} , 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (89)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1069.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of high accuracy (Accuracy class-II) of series "CPH" and with brand name "KINGTECH" (hereinafter referred to as the said model), manufactured by M/s. Pacific Electronics & Instrument Co., Behind Sangam Cinema, Opp. Dr. Ratnakar Panda, Mahtab Road, Cuttack-753012, Orissa and which is assigned the approval mark IND/09/08/450;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 150kg and minimum capacity of 500g. The verification scale interval (e) is 10g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

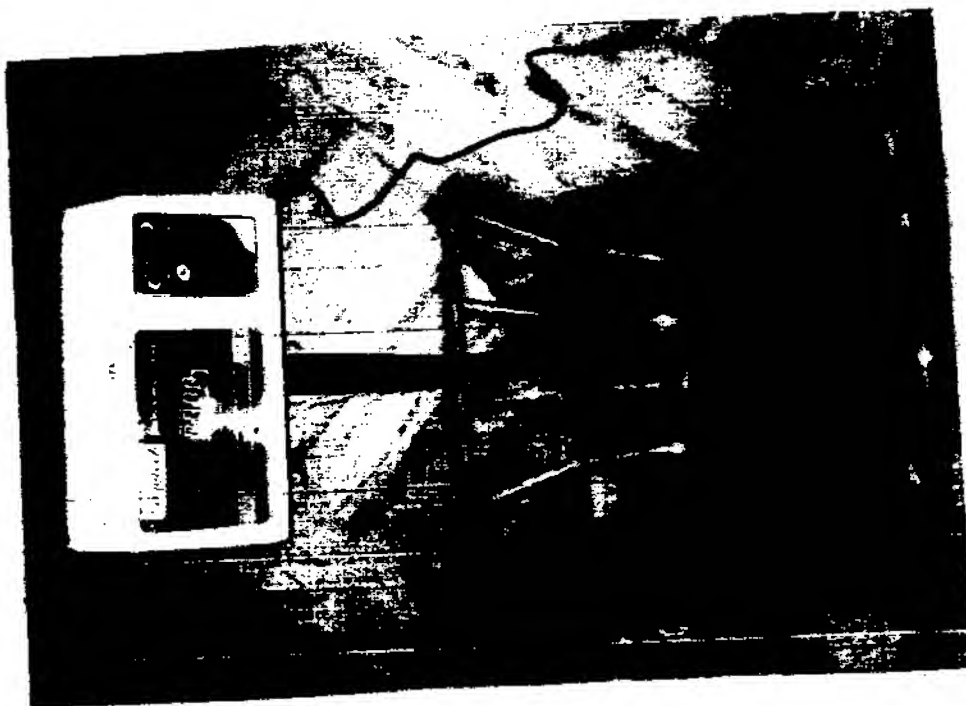


Figure : 2 Sealing diagram.

Sealing is done at the stamping plate and at the body of the scale by the sealing wire and lead seal through the holes made in the bottom plate and top cover of the indicator of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (89)/2008]

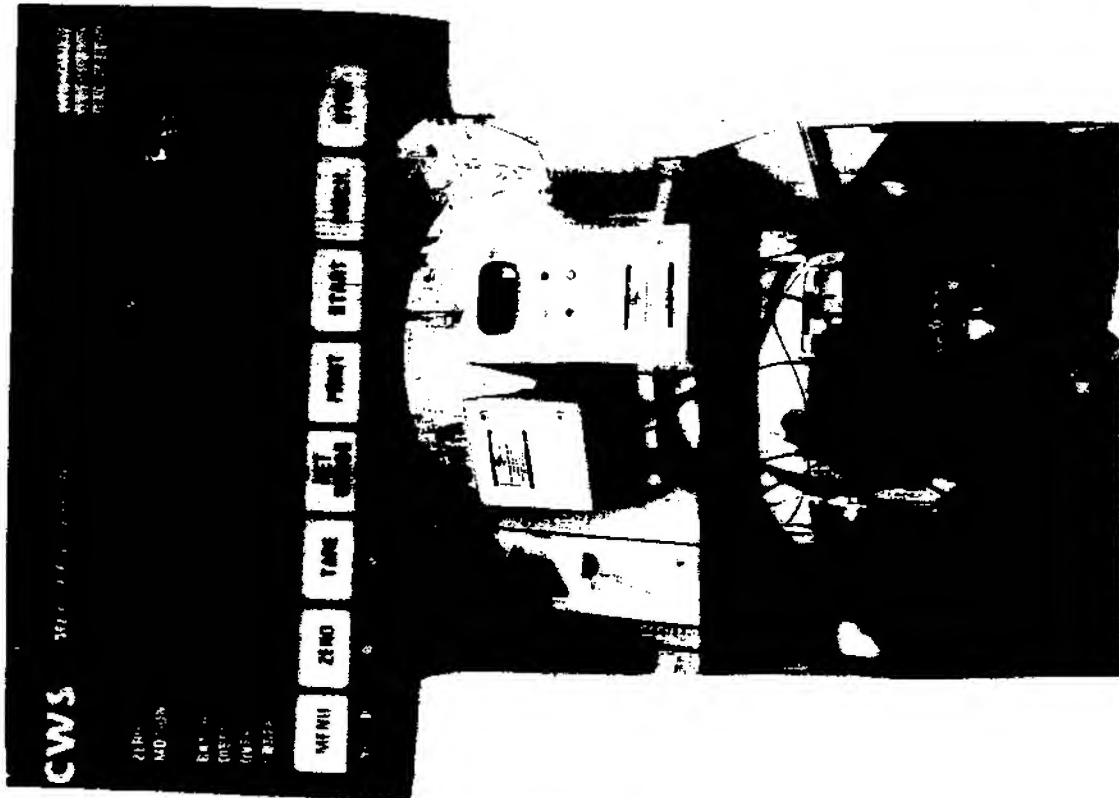
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1071.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कॉन्वे सिस्टम प्रा. लि., नं. 165, एच एस आई डी सी इंडस्ट्रियल एस्टेट, बराही, जिला-सोनीपत-131028, हरियाणा द्वारा विनिर्मित यथार्थता वर्ग X(1) वाले "CWS MEC μ P" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के माडल का, जिसके ब्रांड का नाम "CONWEIGH" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/285 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 50 कि.ग्रा. और सत्यापन मापमान अंतराल 10 ग्रा. है। उक्त माडल में आठ भरण टोंटियां हैं और धुरी पर लम्बवत घूमती हैं। इसकी भरण रेंज 50 प्रति मिनट है। मशीन को उद्योगों में बोरे भरने जैसे सीमेंट, केमिकल, फर्टिलाइजर, मिनरल प्लांट्स और फूड प्रोसेसिंग यूनिट आदि के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्टेज और 50 हर्ट्ज प्रत्यावर्ती भारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : माडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इलेक्ट्रॉनिक कार्ड तक पहुंच और प्लेट के पिछले किनारे को खोलने के लिए यहां पर 4 पेच जुड़े हुए हैं और इन पेचों में सीलिंग के लिए छेद किए गए हैं। छेदों के माध्यम से सीलिंग तार निकाल कर तार के जोड़ों की सीलिंग की जाती है। सील तोड़े बिना उपकरण को खोला नहीं जा सकता। माडल के सीलिंग प्रावधान का विशिष्ट स्कीम डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 10 कि. ग्रा. से 100 कि.ग्रा. तक की रेंज में तथा 3 से 16 स्पाउटस वाले उसी विनिर्माता द्वारा विनिर्मित किया गया है।

[फा. सं. डब्ल्यू एम-21 (117)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1071.—Whereas, the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument belonging to accuracy class X(1) of 'CWS MEC μ P' series with brand name "CONWEIGH" (herein referred to as the said model), manufactured by M/s. Con-Weigh Systems Pvt. Ltd., No. 165, HSIDC Industrial Estate, Barahai, District-Sonepat-131028, Haryana and which is assigned the approval mark IND/09/08/285;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling instrument. Its maximum capacity is 50kg and verification scale interval is 10g. The said model is having eight filling spouts and rotate about its vertical axis. Its maximum fill rate is 50 fills per minute. The machine is designed for filling the bags in industries like cements, chemicals, fertilizer, mineral plants and food processing units etc. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



Fig. 2 : Schematic arrangement of sealing arrangement

There are four mounting screws for opening the back plate and accessing electronic cards and these screws are having holes for sealing. The sealing is done by sealing wire passing through holes and then sealing the wire joints. The instrument cannot be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 10kg to 100 kg and consisting of spouts from 3 to 16, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (117)/2008]

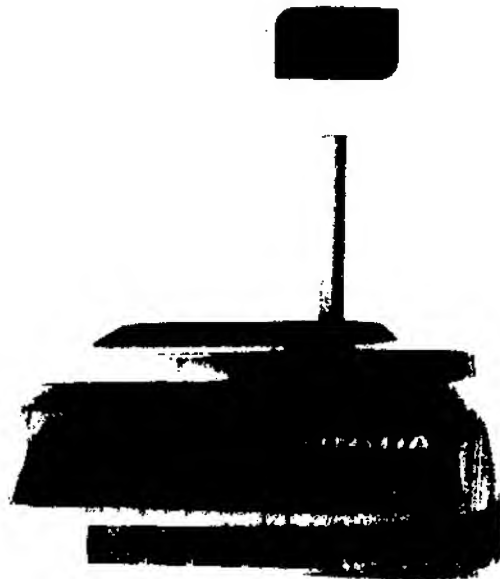
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1072.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेंगे और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स गुरुदेव स्केल, शिवाजी नगर, सावकुण्डला, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जी एस टी टी-03" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओनिडा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/14 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

तोलन उपकरण के पृष्ठभाग पर सीलिंग की जाती है। प्रथम सीलिंग में, साइड कवर, बाटम प्लेट और स्टाम्पिंग प्लेट के छेदों में से गूथित तार निकाली जाती है। दूसरी बार गूथित तार साइड कवर और बाटम प्लेट के छेदों में से निकाली जाती है और जब सीलड किया जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (267)/2007]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1072.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "GSTT-03" series of medium accuracy (accuracy class-III) and with brand name "ONIDA" (herein referred to as the said Model), manufactured by M/s. Gurudev Scale, Shivaji Nagar, Savarkundla, Gujarat and which is assigned the approval mark IND/09/08/14;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Sealing is done at the rear of the weighing instrument. In the first sealing, twisted wire is passed through holes in the side cover, bottom plate and stamping plate. In the second instance, twisted wire is passed through hole in the side cover and bottom plate and then sealed. A typical schematic diagram of sealing provision of the Model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21 (267)/2007]

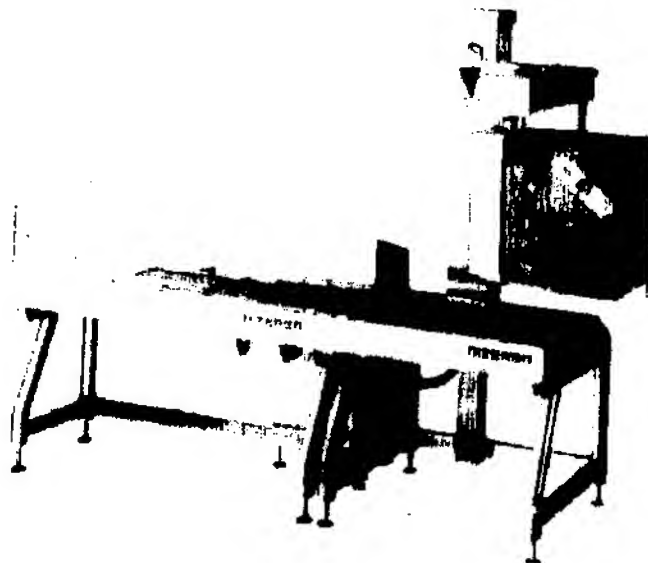
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1073.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स बिजेरबा इंडिया प्रा. लि., प्लॉट नं. ईएल 100, एम आई डी सी, टीटीसी इंडस्ट्रियल एरिया, महापे, नवी मुंबई द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जी एल एम-1" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "बिजेरबा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/102 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 6 कि.ग्रा. है और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिकेट डिस्पले (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 250 वोल्टेज, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। तुला में मूल्य लेबलिंग सुविधा अर्थात् मूल्य पिरकलन उपस्कर जैसी अन्य विशेषताएं भी हैं जो बजन का मान, यूनिट मूल्य और प्रिपैकेज के लिए मूल्य को मुद्रित करती है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

सिस्टम पैन्ल के पीछे की तरफ शीर्ष पर आउटर कवर काट कर बनाए गए गोल छेद को लीडेड - थर से बांध कर स्ट्याम्प और सील का सत्यापन किया जाता है। सील तोड़े बिना सिस्टम पैन्ल को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (48)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1073.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Tabletop type) with digital indication of "GLM-I" series of medium accuracy (accuracy class-III) and with brand name "BIZERBA" (hereinafter referred to as the said model), manufactured by M/s. Bizerba India Pvt. Ltd., Plot No. EL 100, MIDC, TTC Industrial Area, Mahape, Navi Mumbai and which is assigned the approval mark IND/09/08/102;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 6 kg. and minimum capacity of 20 g. The verification scale interval (e) is 1 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The weighing scale also has other features like price labeling facility, i.e. price computing instrument that prints the weight value, unit price and price of pay for prepackages. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

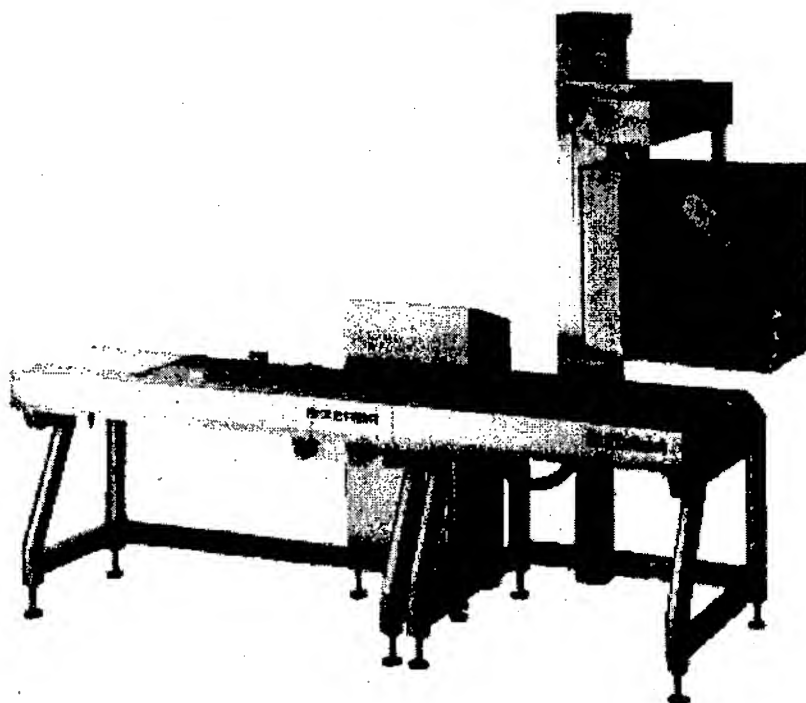


Figure 2 Sealing diagram of the sealing provision of the model.

At the top of back side of system panel round cut is made by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. The panel can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (48)/2008]

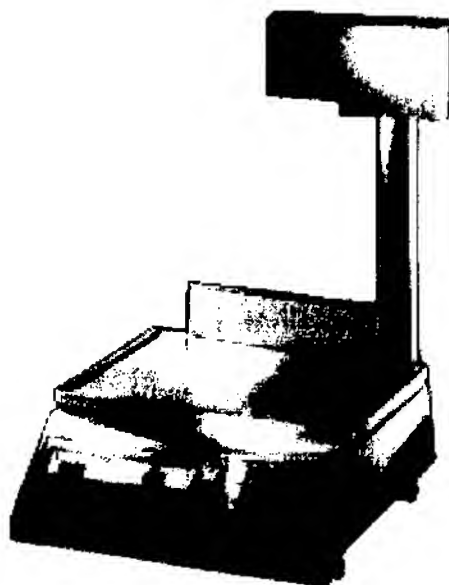
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1074.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बिजेरबा इंडिया प्रा. लि., प्लॉट नं. ईएल 100, एम आई डी सी, टीटीसी इंडस्ट्रियल एरिया, महापे, नवी मुंबई द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “ई सी” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “बिजेरबा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/101 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्युत्पन्न धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। साधारण तोल के अलावा तुला में की बोर्ड डाटा इंटी सुविधा के साथ मूल्य गणना के प्रयोग में लाया जा सकता है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

स्केल कवर के शीर्ष पर पल्ले के नीचे आउटर कवर काट कर बनाए गए वर्गाकार छेद को लीडीड वायर से बांध कर स्टाम्प और सील का सत्यापन किया जाता है। सील तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (48)/2008]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1074.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of "EC" series of medium accuracy (accuracy class-III) and with brand name "BIZERBA" (hereinafter referred to as the said Model), manufactured by M/s. Bizerba India Pvt. Ltd., Plot No. EL 100, MIDC TTC Industrial Area, Mahape, Navi Mumbai and which is assigned the approval mark IND/09/08/101;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. Apart from normal weighing, the weighing scale can be used for price computing through key board data entry facility. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

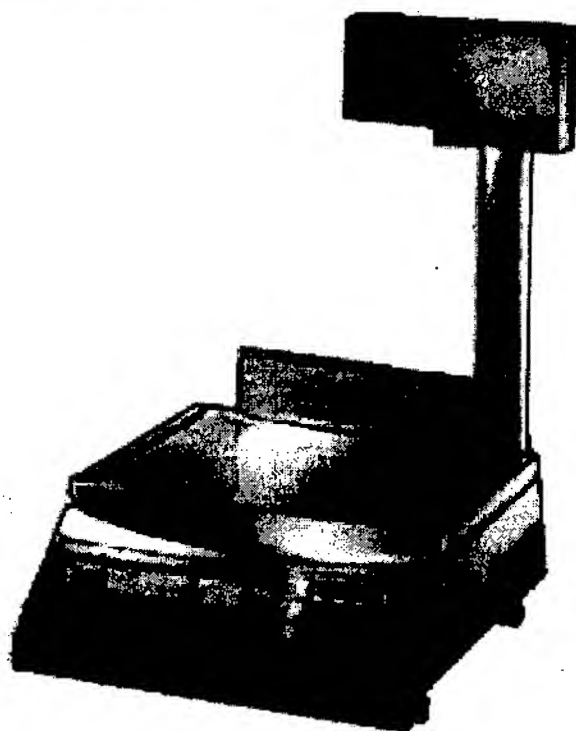


Figure 2 Sealing diagram of the scaling provision of the Model

At the top side of the scale cover below the pan one square cut is made by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the Model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (48)/2008]

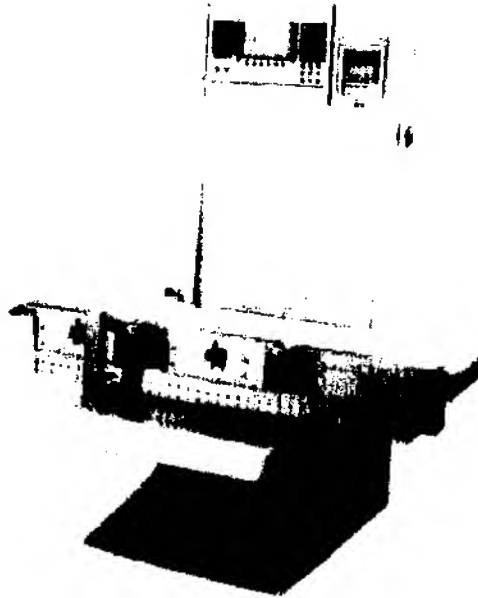
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 31 दिसम्बर, 2008

का.आ. 1075.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स बिजेरबा इंडिया प्रा. लि., प्लॉट नं. ईएल 100, एम आई डी सी, टीटीसी इंडस्ट्रियल एरिया, महापे, नवी मुंबई द्वारा विनिर्मित यथार्थता वर्ग रेफ. $X(x)$, जहाँ $x \leq 1$ वाले "बी जेड-सी डब्ल्यू" शृंखला के आटोमेटिक कैच वेइंग इंस्ट्रूमेंट (चैक व्हीयर) के माडल का, जिसके ब्रांड का नाम "बिजेरबा" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/08/233 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित कैच वेइंग इंस्ट्रूमेंट (चैक व्हीयर) है। इसकी अधिकतम क्षमता 3000 ग्रा. है और मापमान वर्गीकरण (स्केल डिविजन) 1500 ग्रा. तक 0.5 ग्रा. और 1500 ग्रा. से ऊपर 3000 ग्रा. तक 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्टज, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। इसकी अधिकतम बेल्ड स्पीड 120एम/मिनट है। इसके परीक्षण को ओ आई एम एल आर-50-1 और ओ आई एम एल आर-51-1 विशिष्ट के अनुसार किया गया है।



माडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम

इंडिकेटर के पीछे की तरफ आउटर कवर काट कर बनाए गए गोल छेद को लीडीड वायर से बांध कर स्टाम्प और सील का सत्यापन किया जाता है। सील तोड़े बिना इंडिकेटर को खोला नहीं जा सकता। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (48)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st December, 2008

S.O. 1075.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Catch Weighing instrument (Check Weigher) belonging to accuracy class, Ref. X(x), where $x \leq 1$ of 'BZ-CW' series with brand name "BIZERBA" (herein referred to as the said model), manufactured by M/s. Bizerba India Pvt. Ltd., Plot No. EL 100, MIDC TTC Industrial Area, Mahape, Navi Mumbai and which is assigned the approval mark IND/09/08/233;

The said model is a strain gauge type load cell based Automatic Catch Weighing instrument (Check Weigher). Its maximum capacity is 3000g and scale division is 0.5 g. upto 1500 g and 1g above 1500 g and up to 3000g. It is a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode Display (LCD) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. Its maximum belt speed is 120m/minute. The test has been conducted as per OIML R-50-1 and OIML R-51-1 specification.

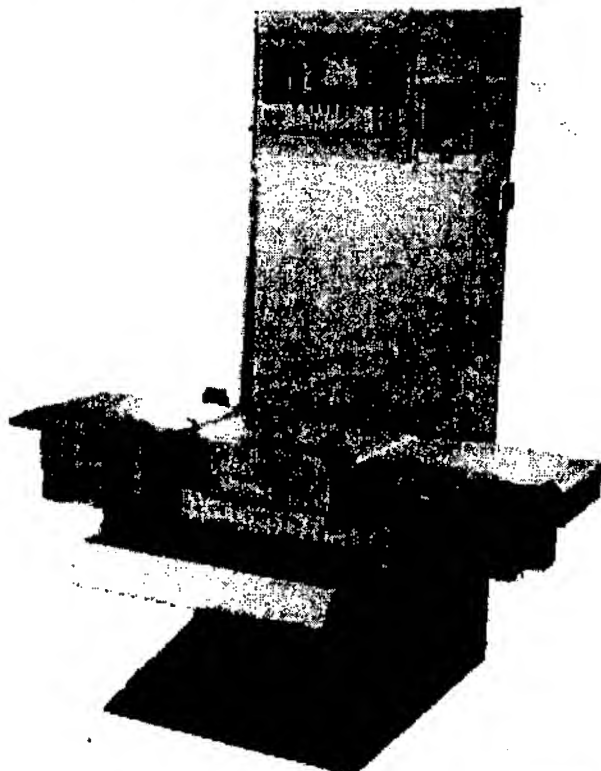


Figure 2 Sealing diagram of the sealing provision of the model

At the back side of indicator round cut is made by cutting the outer cover and fastened by a leaded wire for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (48)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 31 मार्च, 2009

का.आ. 1076.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15871: 2009 खंडजारहित सड़कों में नारियल जटा के भू-वस्त्रादि (नारियल जटा भूवस्त्र) के प्रयोग मार्ग निर्देश	—	जनवरी 2009

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली -110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : टी एक्स डी/जी-25]

पी. भटनागर, निदेशक एवं प्रमुख (वस्त्रादि)

BUREAU OF INDIAN STANDARDS

New Delhi, the 31st March, 2009

S.O. 1076.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each:

SCHEDULE

Sl. No. & Year of the Indian Standard No. Established	No. & year of Indian standard if any, superseded by the New Indian standard	Date of Establishment
1	2	3
1.	IS 15871: 2009 Use of Coir Geotextiles (Coir-Bhoovastra in Unpaved Roads-Guidelines)	January 2009

Henceforth this standard will be available for sale.

Copy of this Standard is available for sale with H.Q at Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and its Regional Offices : at New Delhi, Kolkata, Candigarh, Chennai, Mumbai and also Branch Offices : at Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: TXD/D-25]

P. BHATNAGAR, Director & Head (Textiles)

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1077.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधनों की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	1322:1993	2 फरवरी, 2009	31 मार्च, 2009

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली -110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखों कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीईडी/राजपत्र]

ए. के. सेनी, वैज्ञानिक 'एफ' व प्रमुख (सिविल इंजीनियरी)

New Delhi, the 2nd April, 2009

S.O. 1077.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendment to the Indian Standards, particulars of which is given in the Schedule here to annexed has been issued:

SCHEDULE

Sl. No.	No. and year of the Indian Standard	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	4
1.	1322:1993	2 February 2009	31 March 2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CED/Gazette]

A. K. SAINI, Sc. 'F' & Head (Civil Engg.)

नई दिल्ली, 9 अप्रैल, 2009

का.आ. 1078.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अनुसूची में दिये गये मानक(कों) में संशोधन किया गया है/किये गये हैं :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या, और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आईएस 2062:2006 तप्त बेल्लित अल्प, मध्यम एवं उच्च तन्यता के संरचना इत्यादि (छठा पुनरीक्षण)	संशोधन संख्या 1 मार्च 2009	30-03-2009

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग नई दिल्ली - 110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 4/टी-74]

डा. (श्रीमति) स्नेह भाटला, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 9th April, 2009

S.O. 1078.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here-to annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. and year of the Indian Standard(s) amendment(s)	No. and year of the amendment	Date from which the amendment shall have effect
1	2	3	4
1	IS 2062:2006 Hot rolled low, medium and high tensile structural steel (sixth revision)	Amendment No. 1 March 2009	30-03-2009

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 4/T-74]

DR. (MRS.) SNEH BHATLA, Scientist 'F' & Head (Met Engg.)

नई दिल्ली, 9 अप्रैल, 2009

का.आ. 1079.—भारतीय मानक ब्यूरो नियम, 1987 के नियम, 7 के उपनियम (1) खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1	आईएस 15838 (भाग I से 10) 2008 खनन-परिभाषित शब्दावली	आईएस 4791 : 1968 खनन सम्बन्ध पारिभाषिक शब्दावली (निकास) आईएस 4792 : 1968 खनन सम्बन्ध पारिभाषिक शब्दावली (संवातन), आईएस 4863 : 1968 खनन सम्बन्ध पारिभाषिक शब्दावली (वेधन और विस्फोटी), आईएस 5028 : 1969 खनन सम्बन्ध पारिभाषिक शब्दावली (आयोजना और सर्वेक्षण), आईएस 5307 : 1969 खनन सम्बन्ध पारिभाषिक शब्दावली (छिद्रण और अन्वेषण) आईएस 5767 : 1970 खनन सम्बन्ध पारिभाषिक शब्दावली (स्तर नियन्त्रण), आईएस 5768 : 1970 खनन सम्बन्ध पारिभाषिक (अभिगमन और कार्य), आईएस 5814 : 1970 खनन सम्बन्ध पारिभाषिक शब्दावली (शापट और सम्बन्धित उपस्कर), आईएस 5940 : 1970 खनन सम्बन्ध पारिभाषिक शब्दावली (भूगर्भ) आईएस 7580 : 1975 खनन सम्बन्ध पारिभाषिक शब्दावली (परिवहन) का समावेश।	31 दिसम्बर 2008
2	आईएस 8003 : 2008 माइन कारों की पहिया धुरी की एसेम्बली- विशिष्ट (पहला पुनरीक्षण)	आईएस 8003 : 1976 माइन कारों की पहिया धुरी की एसेम्बली विशिष्ट	31 दिसम्बर 2008

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर, मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालय : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ. एमईडी/जी-2:1]

सी. के. वेदा, वैज्ञानिक एफ व प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 9th April, 2009

S.O. 1079.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of the Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15838(Parts 1 to 10):2008 Mining - Glossary of terms	Amalgamation of IS 4791 : 1968 Glossary of mining terms (drainage), IS 4792 : 1968 Glossary of mining terms (ventilation), IS 4863 : 1968 Glossary of mining terms (drilling & blasting), IS 5028 : 1969 Glossary of mining terms (planing and surveying), IS 5307 : 1969 Glossary of mining terms (boaring and exploration), IS 5767 : 1970	31 December 2008

(3)

	Glossary of mining terms (strata control), IS 5768 : 1970 Glossary of mining terms (winning and working), IS 5814 : 1970 Glossary of mining terms (shaft and associated equipment), IS 5940 : 1970 Glossary of mining terms (geology), and IS 7580 : 1975 Glossary of mining terms (transport)	
2	IS 8003:2008 Wheel axle assemblies for mine cars— Specification (First Revision)	IS 8003 : 1976 Wheel axle assemblies for mine cars— Specification 31-12-2008

Copy of this Standard is available for sale with Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvanthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engineering)

नई दिल्ली, 9 अप्रैल, 2009

का.आ. 1080.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 5116 : 1996 घरेलू एवं व्यवसायिक द्रवित पेट्रोलियम गैस के साथ प्रयुक्त होने वाले उपकरण - सामान्य अपेक्षाएं (तीसरा पुनरीक्षण)	संशोधन नं. 4, मार्च 2009	31 मार्च 2009
2.	आई एस 10109 : 2002 तेल दाब स्टोव - अन्तर्लम्ब बर्नर टाइप - विशिष्टि (पहला पुनरीक्षण)	संशोधन नं. 2, फरवरी 2009	04 मार्च 2009
3.	आई एस 15558 : 2005 एल पी जी के साथ उपयोग के लिए छोटे घरेलू वाटर हीटर - विशिष्टि	संशोधन नं. 2, मार्च 2009	06 अप्रैल 2009

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, नागपुर, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ. एम.ई.डी./जी-2:1]

सी. के. वेदा, वैज्ञानिक 'एफ' व प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 9th April, 2009

S. O. 1080.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 5116 : 1996 Domestic and commercial equipment for use with LPG-General Requirements (Third Revision)	Amendment No. 4, March 2009	31 March 2009
2	IS 10109 : 2002 Oil pressure stoves-Offset burner type (First Revision)	Amendment No. 2, February 2009	04 March 2009
3	IS 15558 : 2005 Mini domestic water heater for use with LPG-Specification	Amendment No. 2, March 2009	06 April 2009

Copy of this Standard is available for sale with Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MED/G-2:1]

C. K. VEDA, Scientist 'F' & Head (Mechanical Engineering)

नई दिल्ली, 13 अप्रैल, 2009

का. आ. 1081.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक में संशोधन किया गया है :-

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और वर्ष	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1	आई एस 16001 : 2007 कार्यस्थल पर संस्थागत जवाबदेही-अपेक्षाएँ	पहला संशोधन, 2009	अप्रैल, 2009

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ. एम एस डी/जी-8-अधिसूचना]

अक्षय कुमार शर्मा, वैज्ञानिक ई एवं प्रमुख (प्रबंध एवं तंत्र)

New Delhi, the 13th April, 2009

S.O. 1081.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which is given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 16001: 2007 Organizational Accountability at the Work Place—Requirements	Amendment No. 1, 2009	April 2009

Copy of the Amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and its Regional Offices : Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MSD/G-8 Notification]

A. K. SHARMA, Scientist E & Head (Management and Systems)

कोयला मंत्रालय

नई दिल्ली, 17 अप्रैल, 2009

का.आ. 1082.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्य किए जाने की संभावना है।

अतः अब, केन्द्रीय सरकार कोयलाधारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसको पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अतर्गत आने वाले क्षेत्र के रेखांक संख्या डी जी/08752 तारीख 4 फरवरी, 2009 का निरीक्षण मुख्य महाप्रबंधक (गवेषण प्रभाग), सेन्ट्रल माइन प्लानिंग एंड डिजाइन इंस्टीच्यूट, गोंडवाना प्लेस, कांके रोड, रांची के कार्यालय में या कोयला नियंत्रक, 1, कार्मिसल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या कलेक्टर, लातेहार, झारखंड के कार्यालय में किया जा सकता है;

इस अधिसूचना के अतर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिनों की अवधि के भीतर मुख्य महाप्रबंधक (गवेषण प्रभाग), सेन्ट्रल माइन प्लानिंग एंड डिजाइन इंस्टीच्यूट, गोंडवाना प्लेस, कांके रोड, रांची को भेजेंगे।

अनुसूची

राजबारा ब्लाक, औरंगा कोलफील्ड्स

जिला-लातेहार झारखंड

(रेखांक संख्यांक डी जी/08752 तारीख 4 फरवरी, 2009)

क्र. सं.	ग्राम	ग्राम संख्या	थाना	जिला	क्षेत्र एकड़ में	क्षेत्र हैक्टेयर में	टिप्पणी
1	2	3	4	5	6	7	8
1.	गुरतुर	00345700	बालूमाथ	लातेहार	1151.49*	466*	पूरा
2.	मासीयातू	00345900	बालूमाथ	लातेहार	234.75*	95*	भाग
3.	बालू	00342300	बालूमाथ	लातेहार	1944.68	787*	भाग
4.	लुनरीबार	00345600	बालूमाथ	लातेहार	746.24*	302*	पूरा
5.	लिजंग	00345400	बालूमाथ	लातेहार	437.37	177	भाग

1	2	3	4	5	6	7	8
6.	कुरियमकलां	00345500	बालूमाथ	लातेहार	252.04	102	भाग
7.	दातम	00285300	बालूमाथ	लातेहार	234.75	95	पूरा
8.	कोलहरूवा	00331500	बालूमाथ	लातेहार	444.78	180	पूरा
9.	पतरातू	00308900	बालूमाथ	लातेहार	449.72	182	पूरा
10.	लुती	00331200	बालूमाथ	लातेहार	383.00	155	भाग
11.	अरहरा	00342500	बालूमाथ	लातेहार	29.65	12	भाग
12.	पनरूका	00331400	बालूमाथ	लातेहार	197.47	80	पूरा
13.	भालूगिरी	00331000	बालूमाथ	लातेहार	123.55	50	भाग
14.	मुरूप	00309000	बालूमाथ	लातेहार	345.94	140	भाग
15.	कुंदरी	00331600	बालूमाथ	लातेहार	434.90	176	पूरा
कुल					7410.33	2999	
अर्थात्					7410.00 *	3000 *	*वन क्षेत्र सम्मिलित है
					(लगभग)	(लगभग)	
ब्लॉकों में कुल वन क्षेत्र					1957	792	
					(लगभग)	(लगभग)	

सीमा वर्णन :

- क-ख बिन्दु क मुरूप ग्राम की पश्चिमी सीमा पर स्थित है और रेखा क-ख ग्राम मुरूप से होकर गुजरती है ।
- ख-ग रेखा ग्राम मुरूप से होकर गुजरती है और भालूगिरी ग्राम में प्रवेश करती है ।
- ग-घ रेखा ग्राम भालूगिरी, लुती, अरहरा और बालू से होकर गुजरती है । जहां बिन्दु घ ग्राम बालू की पूर्वी भाग पर स्थित है ।
- घ-ङ रेखा ग्राम बालू और मसियातू से सुकरी नदी तक होकर गुजरती है ।
- ङ-च रेखा सुकरी नदी के साथ-साथ ग्राम कुंदरी के दक्षिणी पश्चिमी किनारे तक जाती है
- च-छ रेखा मुरूप ग्राम की दक्षिणी पश्चिमी सीमा के साथ-साथ जाती है ।
- छ-ज-क रेखा मुरूप ग्राम की पश्चिमी सीमा से होकर गुजरती है और बिन्दु क पर मिलती है ।

[फा. सं. 43015/16/2008-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

MINISTRY OF COAL
New Delhi, the 17th April, 2009

S.O. 1082.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisitions and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing number DG 08752 dated the 4th day of February, 2009 of the area covered by this notification can be inspected at the office of Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi or at the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or at the office of the District Collector, Latehar, Jharkhand;

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi within the period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

Rajbar Block, Auranga Coalfield District Latehar, Jharkhand

(Plan bearing number DG/08752 dated the 4th day of February, 2009)

S1. No.	Village	Village number	Thana	District	Area in acres	Area in hectares	Remarks
1	Gurtur	00345700	Balumath	Latehar	1151.49*	466*	Full
2	Masiatu	00345900	Balumath	Latehar	234.75*	95*	Part
3	Balu	00342300	Balumath	Latehar	1944.68*	787*	Part
4	Lunribar	00345600	Balumath	Latehar	746.24*	302*	Full
5	Lejang	00345400	Balumath	Latehar	437.37	177	Part
6	Kuriam Kalan	00345500	Balumath	Latehar	252.04	102	Part
7	Datam	00285300	Balumath	Latehar	234.75	95	Full
8	Kolharua	00331500	Balumath	Latehar	444.78	180	Full
9	Patratu	00308900	Balumath	Latehar	449.72	182	Full
10	Luti	00331200	Balumath	Latehar	383.00	55	Part
11	Arhara	00342500	Balumath	Latehar	29.65	12	Part
12	Panruka	00331400	Balumath	Latehar	197.47	80	Full
13	Bhalugeri	00331000	Balumath	Latehar	123.55	50	Part
14	Murup	00309000	Balumath	Latehar	345.94	140	Part
15	Kundri	00331600	Balumath	Latehar	434.90	176	Full
TOTAL					7410.33	2999	
Say					7410.00*	3000*	*Includes
Total Forest Area in the blocks					(approximately)	(approximately)	Forest
					1957	792	Area
					(approximately)	(approximately)	

Boundary description :—

- A-B Point A is located at the western boundary of Murup village and the line A-B passes through village Murup.
- B-C The line passes through village Murup and enters into village Bhalugeri.
- C-D The line passes through village Bhalugeri, Luti, Arhara, and Balu where point D is located at the eastern part of village Balu.
- D-E The line passes through village Balu and Masiatu up to Sukri river.
- E-F The line E-F passes all along Sukri river upto the south western corner of village Kundri.
- F-G The line is all along the south western boundary of Murup village.
- G-H-A The line passes through western most boundary of Murup village and joins point A.

[F. No. 43015/16/2008-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 17 अप्रैल, 2009

का.आ. 1083.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित परिक्षेत्र की भूमि में से कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः, अब, केन्द्रीय सरकार, कोयलाधारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखा संख्या सी-1 (ई) III/जे जे एम आर/774-1208, तारीख 31 दिसम्बर, 2008 का निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल एस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड (एक्सप्लोरेशन डिविजन), केन्द्रीय खान योजना और डिजाइन संस्थान, गोंडवाना प्लेस, कांके रोड, रांची के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता के कार्यालय में या जिला कलेक्टर, चंद्रपुर (महाराष्ट्र) के कार्यालय में किया जा सकता है;

इस अधिसूचना के अंतर्गत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिनों के भीतर मुख्य महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, माजरी क्षेत्र, पोस्ट कुचना, तहसील बघेरा, जिला चंद्रपुर-442503 (महाराष्ट्र) या विशेष कार्य अधिकारी, वेस्टर्न कोलफील्ड्स लिमिटेड, राजस्व विभाग, कोल एस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) को भेजेंगे।

अनुसूची

न्यू माजरी अंडरग्राउंड से ओपनकास्ट ब्लॉक, माजरी क्षेत्र

जिला चंद्रपुर (महाराष्ट्र)

[रेखा सं. सी-1(ई) III/जे जे एम आर/774-1208 तारीख 31 दिसम्बर, 2008]

क्र. सं.	ग्राम का नाम	पटवारी सर्कल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणी
1.	पलसगांव	2	भद्रवती	चंद्रपुर	41.54	भाग
2.	शिवजी नगर	4	भद्रवती	चंद्रपुर	62.06	भाग
3.	नागलोन	2	भद्रवती	चंद्रपुर	119.99	भाग
4.	पटाला	3	भद्रवती	चंद्रपुर	231.04	भाग
कुल क्षेत्र					454.63 हेक्टर (एकड़) या 1123.39 एकड़ (एकड़)	

सीमा वर्णन :

- क-ख : रेखा बिन्दु 'क', ग्राम पटाला में वर्षा नदी की सीमा से आरंभ होती है और ग्राम पटाला से होती हुई सड़क पार करती है तथा आगे बढ़ती हुई सड़क की सीमा से लगकर गुजरती है, फिर नाला तथा ग्राम पटाला और ग्राम नागलोन की सम्मिलित ग्राम सीमा को पार करती है और ग्राम नागलोन से होती हुई बिन्दु 'ख' पर मिलती है।
- ख-ग : रेखा ग्राम नागलोन से गुजरती हुई सड़क पार करती है फिर ग्राम नागलोन और ग्राम पलसगांव की सम्मिलित ग्राम सीमा को पार करती है और ग्राम पलसगांव से होती हुई बिन्दु 'ग' पर मिलती है।
- ग-घ : रेखा ग्राम पलसगांव में नाले की सीमा से लगकर गुजरती है, फिर ग्राम पलसगांव और ग्राम नागलोन की सम्मिलित ग्राम सीमा को पार करती है, फिर नाले की सीमा से लगकर गुजरती है और ग्राम नागलोन और ग्राम शिवजी नगर की सम्मिलित ग्राम सीमा को पार करती है, फिर ग्राम शिवजी नगर में नाले की सीमा से लगकर गुजरती है तथा ग्राम शिवजी नगर से होकर गुजरती है और ग्राम शिवजी नगर और ग्राम पटाला की सम्मिलित ग्राम सीमा से होकर गुजरती है और बिन्दु 'घ' पर मिलती है।
- घ-क : रेखा ग्राम पटाला में सड़क की सीमा से लगकर गुजरती है फिर ग्राम पटाला से होकर सड़क पार करती है फिर ग्राम पटाला से होकर गुजरती है और वर्षा नदी की सीमा से लगकर गुजरती हुई आरंभिक बिन्दु 'क' पर मिलती है।

[फा. सं. 43015/9/2009-पीआरआईडब्ल्यू-1]

एम. राजकुमार, अवर सचिव

New Delhi, the 17th April, 2009

S.O. 1083.—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein ;

The plan bearing number C-1(E)III/JJMR/774-1208 dated the 31st December, 2008 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440 001 (Maharashtra) or at the office of the Chief General Manager (Exploration Division), Central Mine Planning and Design Institute, Gondwana Place, Kanke Road, Ranchi or at the office of the Coal Controller, 1, Council House Street, Kolkata or at the office of the District Collector, Chandrapur (Maharashtra);

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of Section 13 of the said Act to the office of the Chief General Manager, Western Coalfields Limited, Majri Area, Post Kuchna, Tahsil Warora, District Chandrapur - 442 503 (Maharashtra) or Officer on Special Duty (Land and Revenue), Western Coalfields Limited, Revenue Department, Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE**NEW MAJRI UG TO OC BLOCK****MAJRI AREA****DISTRICT CHANDRAPUR (MAHARASHTRA)**

[Plan number C-1(E)III/JJMR/774-1208 dated the 31st December, 2008]

S1. No.	Name of village	Patwari circle number	Tahsil	District	Area in Hectares	Remarks
1.	Palasgaon	2	Bhadrawati	Chandrapur	41.54	Part
2.	Shivji Nagar	4	Bhadrawati	Chandrapur	62.06	Part
3.	Naglone	2	Bhadrawati	Chandrapur	119.99	Part
4.	Patala	3	Bhadrawati	Chandrapur	231.04	Part

Total area: 454.63 hectares (approximately)

or

1123.39 acres (approximately)

Boundary description :

- A - B: Line starts from Point 'A' in village Patala from the bank of Wardha River then passes through village Patala, crosses Road, then passes through village Patala and proceeds along with the boundary of Road, crosses the Nallah and common village boundary of villages Patala and Naglone and proceed along the Road in village Naglone and meets at Point 'B'.
- B - C: Line passes through village Naglone, crosses Road, then proceeds through village Naglone and crosses common village boundary of villages Naglone and Palasgaon then passes through village Palasgaon and meets at Point 'C'.
- C - D: Line passes along the boundary of Nallah in village Palasgaon then crosses the common village boundary of villages Palasgaon and Naglone, again passes along the boundary of Nallah then crosses the common village boundary of villages Naglone and Shivji Nagar, then again passes along the boundary of Nallah in village Shivji Nagar, then passes through village Shivji Nagar and proceeds along the common village boundary of villages Patala and Shivji Nagar and meets at Point 'D'.
- D - A: Line passes through village Patala along the boundary of Road, then passes through village Patala crosses Road then passes through village Patala and passes along the bank of Wardha River and meets at starting Point 'A'.

[F. No. 43015/9/2009-PRW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 17 अप्रैल, 2009

का.आ. 1084.—केंद्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है;

अतः अब, केंद्रीय सरकार कोयलाधारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस क्षेत्र में कोयले का पूर्वक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अतंगत आने वाले क्षेत्र के रेखांक संख्या एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/333 तारीख 15 दिसम्बर, 2008 का निरीक्षण कलक्टर, कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) के कार्यालय में किया जा सकता है;

इस अधिसूचना के अतंगत आने वाली भूमि में हितबद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चाटों और अन्य दस्तावेजों को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से 90 दिन के भीतर भारसाधक अधिकारी या विभागाध्यक्ष (राजस्व), साऊथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006 (छत्तीसगढ़) को भेजेंगे।

अनुसूची

करताली पूर्व कोल ब्लॉक, कोरबा क्षेत्र

जिला-कोरबा (छत्तीसगढ़)

रेखांक संख्या-एसईसीएल/बीएसपी/जीएम (पीएलजी)/भूमि/333, तारीख 15 दिसम्बर, 2008 (पूर्वक्षण के लिए अधिसूचना भूमि दर्शाते हुए)

क्र. सं.	ग्राम	पटवारी हल्का संख्या	ग्राम नम्बर	तहसील	जिला	क्षेत्र हैक्टेयर में	टिप्पण
1.	करताली	10	78	पाली	कोरबा	178.802	भाग
2.	गणेशपुर	12	सर्वेक्षण रहित	पाली	कोरबा	8.093	भाग
3.	पुटा	14	44	पाली	कोरबा	485.949	भाग
4.	नूनेरा	27	75	पाली	कोरबा	92.598	भाग
5.	उड़ता	14	43	पाली	कोरबा	75.754	भाग
कुल क्षेत्र					841.196 हेक्टर (लगभग) या 2078.60 एकड़ (लगभग)		

सीमा वर्णन :

- क-ख रेखा ग्राम करताली में "क" बिन्दु से आरंभ होती है और ग्राम करताली और नूनेरा में होती हुई ग्राम नूनेरा में बिन्दु "ख" पर मिलती है।
- ख-ग रेखा ग्राम नूनेरा, पुटा और उड़ता से होती हुई ग्राम उड़ता में "ग" बिन्दु पर मिलती है।
- ग-घ-ङ-च रेखा ग्राम उड़ता और पुटा एवं बिन्दु "घ", "ङ" से होती हुई ग्राम गणेशपुर-पुटा के सम्मिलित सीमा में बिन्दु "च" पर मिलती है।
- च-क रेखा ग्राम गणेशपुर और करताली से होती हुई आरंभिक बिन्दु "क" पर मिलती है।

[फा. सं. 43015/3/2009-पीआरआईडब्ल्यू-1]

एम. शाहाबुद्दीन, अवर सचिव

New Delhi, the 17th April, 2009

S.O. 1084.—Whereas it appears to the Central Government that Coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

The plan bearing Number: SECL/BSP/GM(Pig)/Land/333, dated 15 December, 2008 of the area covered by this notification can be inspected in the office of the Collector, Korba (CG) or in the office of the Coal Controller, 1, Council House Street, Kolkata-700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Chhattisgarh).

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the officer-in-Charge or Head of the Department (Revenue), South Eastern Coalfields limited, Seepat Road, Bilaspur - 495006 (Chhattisgarh), within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE**Kartali East Coal Block Korba Area****District- Korba (CG)****Plan number SECLBSP/GM (Pig)/Land/333, dated 15 December, 2008****(Showing the land notified for prospecting).**

S1. No.	Village	Patawari Halka number	Village number	Tehsil	District	Area in hectares	Rem.
1.	Kartali	10	78	Pali	Korba	178.802	Part
2.	Ganeshpur	12	Unsurveyed	Pali	Korba	8.093	Part
3.	Puti	14	44	Pali	Korba	485.949	Part
4.	Nunera	27	75	Pali	Korba	92.598	Part
5.	Urta	14	43	Pali	Korba	75.754	Part

Total: - 841.196 hectares (Approximately)**OR 2078.60 acres (Approximately)****BOUNDARY DESCRIPTION:**

- A-B Line starts from point 'A' in village Kartali and passes through the villages Kartali and Nunera and meets at point "B" in village Nunera.
- B-C Line passes through villages Nunera, Puti, Urta and meets at point 'C' in village Urta.
- C-D-E-F Line passes through villages Urta, Puti, points 'D', 'E' and meets at point 'F' on the common boundary of villages Ganeshpur - Puti.
- F-A Line passes through villages Ganeshpur and Kartali and meets at starting point 'A'.

[F.No. 43015/3/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 17 अप्रैल, 2009

का.आ. 1085.—केन्द्रीय सरकार ने कोयला शक्ति क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार के कोयला मंत्रालय द्वारा जारी की गई अधिसूचना संख्या का.आ. 1396, तारीख 7 मई, 2007 जो भारत के राज्यपत्र के भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 12 मई, 2007 में प्रकाशित की गई थी, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिवेश की भूमि में जिसका माप 115.00 हेक्टर (लगभग) या 284.16 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से उपबद्ध अनुसूची में निहित उक्त भूमि के भाग में कोयला अभिप्राय है ;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इससे संलग्न अनुसूची में वर्णित 104.938 हेक्टर (लगभग) या 259.30 एकड़ (लगभग) माप की उक्त भूमि के भीतर या उस पर के सभी अधिकार के अर्जन करने के अपने आशय की सूचना देती है ।

टिप्पण 1 : इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. एसईसीएल/बीएसपी/जीएम (पीएलजी)/लैंड/336 तारीख 2 मार्च, 2009 का निरीक्षण कलेक्टर, जिला-कोरबा (छत्तीसगढ़) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 के कार्यालय में या सामग्र्य ईस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495001 (छत्तीसगढ़) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं :-

अर्जन के बाबत आपत्तियां :

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण : इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सौंक्रियाएं करना चाहता है और ऐसी सौंक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी, आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।”

टिप्पण 3 : केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाऊस स्ट्रीट, कोलकाता-700001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना सं. का.आ. 905, तारीख 20 मार्च, 1987 जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) में तारीख 4 अप्रैल, 1987 को प्रकाशित की गई थी, द्वारा सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

हरदी ब्लाक पहला विस्तार (दीपका विस्तार)

दीपका क्षेत्र, जिला-कोरबा (छत्तीसगढ़)

सभी अधिकार :

क्र. सं.	ग्राम का नाम	पटवारी हल्का नम्बर	खेवट नम्बर	तहसील	जिला	क्षेत्र हेक्टेयर में	टिप्पण
1.	रेणकी	13	55	पाली	कोरबा	8.731	भाग
2.	सुआपोड़ी	13	38	पाली	कोरबा	14.933	भाग
3.	हरदीबजार	13	56	पाली	कोरबा	60.108	भाग
4.	आमगांव	13	36	पाली	कोरबा	21.166	भाग
कुल क्षेत्र 104.938 हेक्टर (लगभग) या 259.30 एकड़ (लगभग)							

1. ग्राम रेणकी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :-

56(भाग), 57(भाग), 58, 59(भाग), 60(भाग), 61, 670-673, 674(भाग), 675(भाग), 676 से 678, 679(भाग), 680 से 690, 697 से 702, 704।

2. ग्राम सुआभोडी (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :—

359(भाग), 360(भाग), 361(भाग), 362, 363(भाग), 364(भाग), 365, 375, 376(भाग), 377 से 381 ।

3. ग्राम हरदीबजार (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :—

112(भाग), 119, 120, 127(भाग), 128 से 151, 164 से 170, 172 से 177, 178(भाग), 193, 221(भाग), 224 से 238, 245, 249(भाग), 250(भाग), 251 से 264, 267 से 275, 276(भाग), 277 से 291, 293 से 295, 297 से 299, 317(भाग), 319 से 330, (331)भाग), 332, 338 से 343, 354 (भाग), 358 से 359, 979 ।

4. ग्राम आमगांव (भाग) में अर्जित किए जाने वाले प्लॉट संख्या :—

606(भाग), 607 से 615 ।

सीमा वर्णन :

- क-ख रेखा ग्राम रेणकी में बिन्दु "क" से आरंभ होती है और प्लॉट संख्या 56 से होकर तथा 58 के पश्चिमी, 59 के पश्चिमी, दक्षिणी और पूर्वी, 61, 673, 671/4, 670/1, 670/2, 670/3, 690, 697, 699, 702 के दक्षिणी, 704 के पूर्वी सीमा से गुजरती हुई ग्राम रेणकी-सुआभोडी के सम्मिलित सीमा में बिन्दु "ख" पर मिलती है ।
- ख-ग रेखा ग्राम सुआभोडी में प्लॉट संख्या 378/4, 378/5, 378/6, 378/3, 378/1, 381 के दक्षिणी सीमा तथा ग्राम सुआभोडी-हरदीबजार के भागतः सम्मिलित सीमा से गुजरती हुई बिन्दु "ग" पर मिलती है ।
- ग-घ रेखा ग्राम हरदीबजार में प्लॉट संख्या 151, 143, 142, 141, 140, 139, 138, 136, 134, 133/3, 164, 170, 172, 291, 294, 295/2, 297 के दक्षिणी तथा 297, 298 के पूर्वी सीमा से होती हुई 299 के पश्चिमी तथा दक्षिणी और 317 से होकर गुजरती है, बाद में 319 के दक्षिणी तथा पूर्वी और 317, 322, 323, 324, 325, 330 के पूर्वी, और 331 से होकर 332, 339 के पूर्वी, 338, 343, 254 के दक्षिणी एवं पूर्वी, 354 के पूर्वी, 355/2, 357/1, 358, 359 के दक्षिणी, 612/4, 615/1 के पश्चिमी सीमा से गुजरती हुई ग्राम हरदीबजार-सरईसिंगार-आमगांव के सम्मिलित सीमा में बिन्दु "घ" पर मिलती है ।
- घ-ङ रेखा ग्राम आमगांव-सरईसिंगार के सम्मिलित सीमा से होती हुई बिन्दु "ङ" पर मिलती है ।
- ङ-च रेखा ग्राम आमगांव में प्लॉट संख्या 615/3, 611/3, 610, 606/3, 608, 606/21, 606/25, 606/24, 606/20 के पूर्वी सीमा से गुजरती हुई बिन्दु "च" पर मिलती है ।
- च-छ रेखा ग्राम आमगांव में प्लॉट संख्या 606/20, 606/19, 606/17, 606/1 के उत्तरी सीमा से गुजरती हुई ग्राम आमगांव-हरदीबजार के सम्मिलित सीमा में बिन्दु "छ" पर मिलती है ।
- छ-ज रेखा ग्राम हरदीबजार में प्लॉट संख्या 355/1, 250 से होकर 245, 238, 234 के उत्तरी, 235, 226 के पश्चिमी, 224, 264, 267, 193, 275 के उत्तरी और 276, 178, 127 से होकर गुजरती है, बाद में 120, 119 के उत्तरी सीमा और प्लॉट संख्या 112/2 112/1 से होकर गुजरती हुई ग्राम सुआभोडी-हरदीबजार के सम्मिलित सीमा में बिन्दु "ज" पर मिलती है ।
- ज-झ रेखा ग्राम सुआभोडी-हरदीबजार के सम्मिलित सीमा से होती हुई बिन्दु "झ" पर मिलती है ।
- झ-ञ रेखा ग्राम सुआभोडी में प्लॉट संख्या 376 से होकर बाद में 365 के उत्तरी सीमा और 364, 363, 361, 360, 359 से होकर गुजरती हुई ग्राम रेणकी-सुआभोडी के सम्मिलित सीमा में बिन्दु "ञ" पर मिलती है ।
- ञ-क रेखा ग्राम रेणकी में प्लॉट संख्या 57, 679, 675, 674, 60, 59, 56 से गुजरती हुई आरंभिक बिन्दु "क" पर मिलती है ।

[फा. सं. 43015/3/2007-पीआरआईडब्ल्यू-1]

एम. शहाबुद्दीन, अवर सचिव

New Delhi, the 17th April, 2009

S.O. 1085.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 1396 dated the 7th May, 2007 issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act,

1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part-II, Section 3, Sub-section (ii) dated the 12th May, 2007, the Central Government gave notice of its intention to prospect for coal in 115.00 hectares (approximately) or 284.16 acres (approximately) of the lands in the locality specified in the Schedule annexed to that notification;

And, whereas the Central Government is satisfied that coal is obtainable in a part of the said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 104.938 hectares (approximately) or 259.30 acres (approximately) as All Rights in or over the said lands described in the Schedule appended hereto.

Note 1. The plan bearing Number SECL/BSP/GM/PLG/LAND/336 dated the 2nd March, 2009 of the area covered by this notification may be inspected in the office of the Collector, Korba (Chhattisgarh) or in the office of the Coal Controller, 1, Council House Street, Kolkata - 700001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur, 495006 (Chhattisgarh).

Note 2. Attention is hereby invited to the provisions of Section 8 of the said Act which provides as follows:

Objection to Acquisition:

"8(1) Any person interested in any land in respect of which a notification under sub-section (1) of Section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

Explanation:—

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operation in the land for the production of coal and that such operation should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either makes a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.
- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3. The Coal Controller, 1, Council House Street, Kolkata-700001, has been appointed by the Central Government as the competent authority under Section 3 of the said Act, *vide* notification number S.O. 905, dated the 20th March, 1987, published in Part II, Section 3, sub-section (ii) of the Gazette of India, dated the 4th April, 1987.

SCHEDULE

**Hardi Block, 1st Extension (Dipka Expansion),
Dipka Area, District—Korba (Chhattisgarh).**

All Rights:

Sl. Number	Name of village	Patwari Halka Number	Khewat Number	Tahsil	District	Area in Hectares	Remarks
1.	Renki	13	55	Pali	Korba	8.731	Part
2.	Suwabhondi	13	38	Pali	Korba	14.933	Part
3.	Hardibazar	13	56	Pali	Korba	60.108	Part
4.	Amgaon	13	36	Pali	Korba	21.166	Part

Total:—104.938 Hectares (Approximately) or 259.30 Acres (Approximately).

1. Plot numbers to be acquired in village Renki (Part):
56(P), 57(P), 58, 59(P), 60(P), 61, 670 to 673, 674(P), 675(P), 676 to 678, 679(P), 680 to 690, 697 to 702, 704.
2. Plot numbers to be acquired in village Suwabhondi (Part):
359(P), 360(P), 361 (P), 362, 363(P), 364(P), 365, 375, 376(P), 377 to 381.
3. Plot numbers to be acquired in village Hardibazar(Part):
112(P), 119, 120, 127(P), 128 to 151, 164 to 170, 172 to 177, 178(P), 193, 221 (P), 224 to 238, 245, 249(P), 250(P), 251 to 264, 267 to 275, 276(P), 277 to 291, 293 to 295, 297 to 299, 317(P), 319 to 330, 331 (P), 332, 338 to 343, 354, 355(P), 356 to 359, 979.
4. Plot numbers to be acquired in village Amgaon (Part): 606(P), 607 to 615.

Boundary Description:

- A-B Line starts from point 'A' in village Renki and passes through plot number 56 then along western boundary of plot number 58, western, southern and eastern boundary of plot number 59, southern boundary of plot numbers 61, 673, 671/4, 670/1, 670/2, 670/3, 690, 697, 699, 702 then along eastern boundary of plot number 704 and meets at point 'B' on the common boundary of villages Renki Suwabhondi.
- B-C Line passes in village Suwabhondi along southern boundary of plot numbers 378/4, 378/5, 378/6, 378/3, 378/1, 381 then partly common boundary of villages Suwabhondi—Hardibazar and meets at point 'C' on the same boundary.
- C-D Line passes in village Hardibazar along southern boundary of plot number 151, 143, 142, 141, 140, 139, 138, 136, 134, 133/3, 164, 170, 172, 291, 293, 294, 295/2, 297, eastern boundary of 297, 298, western & southern boundary of 299 then through plot number 317 after that along southern & eastern boundary of 319 & eastern boundary of 317, 322, 323, 324, 325, 330 and through 331 then along eastern boundary of 332, 339, southern & eastern boundary of 338, 343, 254, eastern boundary of 354, southern boundary of 355/2, 357/1, 358, 359, western boundary of 612/4, 615/1 and meets at point 'D' on the common boundary of villages Hardibazar—Sarai Singar—Amgaon.
- D-E Line passes along the common boundary of villages Amgaon - Sarai Singar and meets at point 'E'.
- E-F Line passes in village Amgaon along the eastern boundary of plot numbers 615/3, 611/3, 610, 606/3, 608, 606/21, 606/25, 606/24, 606/20 and meets at point 'F'.
- F-G Line passes in village Amgaon along northern boundary of plot numbers 606/20, 606/19, 606/17, 606/1 and meets at point 'G' on the common boundary of villages Amgaon—Hardibazar.
- G-H Line passes in village Hardibazar through plot numbers 355/1, 250 then along northern boundary of plot number 245, 238, 234 western boundary of plot numbers 235, 226 northern boundary of plot number 224, 264, 267, 193, 275 then through plot number 276, 178, 127 then along northern boundary of plot number 120, 119 after that through plot number 112/2, 112/1 and meets at point 'H' on the common boundary of villages Suwabhondi—Hardibazar.
- H-I Line passes along the common boundary of villages Suwabhondi—Hardibazar and meets at point 'I'.
- I-J Line passes in village Suwabhondi through plot number 376 then along northern boundary of plot number 365 then through plot number 364, 363, 361, 360, 359 and meets at point 'J' on the common boundary of villages Renki—Suwabhondi.
- J-A Line passes in village Renki through plot number 57, 679, 675, 674, 60, 59, 56 and meets at starting point 'A'.

[F. No. 43015/3/2007-PRIW-I]

M. SHAHABUDEEN, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 22 अप्रैल, 2009

का.आ. 1086.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 2365 तारीख 21 सितम्बर, 2008, जो भारत के राजपत्र तारीख 23 सितम्बर, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थापन से मध्यप्रदेश राज्य में बीना तक कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 6 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, भारत ओमान रिफाइनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : नलखेड़ा जिला : शाजापुर राज्य : मध्यप्रदेश

क्र.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	टिकोन	1630 मिन	1.010
		1634 मिन	0.134
		1634/7	0.125
		312/2	0.339

1	2	3	4
		1324/1	0.222
		1324/6	0.060
		1234/2	0.135
		1490/1	0.160

[फा. सं. आर-31015/14/2008-ओआर-II]

ए. गोस्वामी, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 22nd April, 2009

S.O. 1086.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2365 dated the 21st August, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 23rd August, 2008, the Central Government declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil through Vadinar-Bina Crude Pipeline Project from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh by Bharat Oman Refineries Limited;

And, whereas, the copies of the said Gazette notification were made available to the public on the 6 November, 2008;

And, whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And, whereas, the Central Govt. after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the said land specified in the Schedule, is hereby acquired for laying the pipelines;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Central Government hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of the publication of this declaration, in Bharat Oman Refineries Limited, free from all encumbrances.

SCHEDULE

Tehsil : Nalkheda District : Shajapur State : M.P.

S. No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1.	Tikon	1630p	1.010
		1634p	0.134
		1634/7	0.125
		312/2	0.339
		1324/1	0.222
		1324/6	0.060
		1234/2	0.135
		1490/1	0.160

[F.No.R-31015/14/2008-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 22 अप्रैल, 2009

का.आ. 1087.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 2621 तारीख 15 सितम्बर, 2008, जो भारत के राजपत्र तारीख 20 सितम्बर, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थापन से मध्यप्रदेश राज्य में बीना तक कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 29 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के

लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, भारत ओमान रिफाइनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : लटेरी जिला : विदिशा राज्य : मध्यप्रदेश

क्र.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1.	लटेरी	644	0.455
2.	सेमरी बसीर	24	0.036

[फा. सं. आर-31015/21/2008-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 22nd April, 2009

S.O. 1087.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2621(E) dated the 15th September, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th September, 2008, the Central Government declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil through Vadinar-Bina Crude Pipeline Project from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh by Bharat Oman Refineries Limited;

And, whereas, the copies of the said Gazette notification were made available to the public on the 29 November, 2008;

And, whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And, whereas, the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Central Government hereby declares that the Right of User in the said land, specified in the Schedule, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of the publication of this declaration, in Bharat Oman Refineries Limited, free from all encumbrances.

SCHEDULE

Tehsil : Lateri District : Vidisha State : M.P.			
S. No.	Name of Village	Survey No.	Area in Hectare
1	2	3	4
1.	Lateri	644	0.455
2.	Semri Bashir	24	0.036

[F. No. R-31015/21/2008-OR-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 22 अप्रैल, 2009

का.आ. 1088.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 2619 तारीख 15 सितम्बर, 2008, जो भारत के राजपत्र तारीख 20 सितम्बर, 2008 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुजरात राज्य में वाडीनार संस्थापन से मध्य प्रदेश राज्य में बीना तक कच्चे पेट्रोलियम उत्पादों के परिवहन के लिए वाडीनार-बीना पाइपलाइन परियोजना के माध्यम से भारत ओमान रिफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 22 नवम्बर, 2008 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा

करती है कि अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, भारत ओमान रिफाइनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : झाबुआ जिला : झाबुआ राज्य : मध्यप्रदेश

क्र. सं.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	कालाखूट	647	0.39
2.	पिटोल कलों	244	0.04
3.	पिटोल खुर्द	28	0.04
		35	0.03
4.	खेडी	195	0.08
5.	मोद	142	0.06
		143	0.01
		145	0.17
6.	गैलरकला	3	0.37
		100	0.72
7.	नरवालिया	70	0.70
8.	ढेवर	467	0.11
		476	0.02
		541	0.24
		612	0.13
		613	0.01
		617	0.18
		619	0.02
		812	0.12
		832	0.19

1	2	3	4
देबर-जारी	895	0.08	
	1359	0.08	
9. कल्याणपुरा	240	0.10	
10. बरखेड़ा	392	0.50	

[फा. सं. आर-31015/16/2008-ओआर-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 22nd April, 2009

S.O. 1088.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2619 dated the 15th September, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th September, 2008, the Central Government declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of Crude Oil through Vadinar-Bina Crude Pipeline project from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh by Bharat Oman Refineries Limited;

And, whereas copies of the said Gazette notification were made available to the public on the 22nd November, 2008;

And, whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Central Government;

And, whereas, the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government directs that the right of user in the said land

for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of the publication of this declaration, in Bharat Oman Refineries Limited, free from all encumbrances.

SCHEDULE

Tehsil : Jhabua District : Jhabua State : M.P.

S. No. Name of Village Survey No. Area in Hectare

1	2	3	4
1.	Kalakhut	647	0.39
2.	Pitolkala	244	0.04
3.	Pitolkhurd	28	0.04
		35	0.03
4.	Khedi	195	0.08
5.	Mod	142	0.06
		143	0.01
		145	0.17
6.	Gelarkala	3	0.37
		100	0.72
7.	Narwalia	70	0.70
8.	Dhebar	467	0.11
		476	0.02
		541	0.24
		612	0.13
		613	0.01
		617	0.18
		619	0.02
		812	0.12
		832	0.19
		895	0.08
		1359	0.08
9.	Kalyanpura	240	0.10
10.	Barkheda	392	0.50

[F. No. R-31015/16/2008-OR-II]

A. GOSWAMI, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 23 मार्च, 2009

का.आ. 1089.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. भारत कोकिंग कोल लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ सं. 35/1994, 36/1994) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-2009 को प्राप्त हुआ था।

[सं. एल-20012/13/93-आई आर (सी-1),
सं. एल-20012/14/93-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 23rd March, 2009

S.O. 1089.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/1994, 36/1994) of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure, In the Industrial Dispute between the employers in relation to the management of M/s. Bharat Coking Coal Ltd. and their workman, which was received by the Central Government on 23-3-2009.

[No. L-20012/13/93-IR(C-I)]

No. L-20012/14/93-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD**

In the matter of reference U/s. 10 (1) (d) (2A) of I.D. Act.

Reference No. 35 of 1994

[Ministry's Order No. L-20012/14/93-I.R.(C-I)
dated 22-2-1994]

AND**Reference No. 36 of 1994**

[Ministry's Order No. L-20012/13/93-I.R. (C-I)
dated 22-2-1994]

Parties : Employers in relation to the management of
M/s. Bharat Coking Coal Ltd.

AND

Their workmen.

Present : Shri H. M. Singh, Presiding Officer**APPEARANCES**

For the Employers : Shri S.N. Sinha, Advocate.

For the Workmen : Shri S.C. Gour, Advocate.

State : Jharkhand. Industry : Coal.

Dated, the 17th March, 2009

AWARD

The Government of India, Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal :

Schedule : Reference No. 35 of 1994 —

"Whether the action of the management of M/s. BCCL in denying promotion to S/Shri R.S. Sharma and Gopalji Singh to Technical and Supervisory Grade 'A' is justified? If not, to what relief the workmen are entitled?"

Schedule : Reference No. 36 of 1994 —

"Whether the action of the management of M/s. BCCL in denial of promotion of S/Shri K.B. Jha, D. Chanchani, P.K. Singh, Rajeshwar Singh, Umesh Jha, Bhagat Ram, P.K. Shaduri, D.K. Ray and C.K. Ganguli to Supervisory Grade 'A' w.e.f. 6-6-91 is justified? If not, to what relief the workmen are entitled?"

2. Both the above two references have been heard together and a common award is passed in both the cases.

3. The case of the concerned workmen in their written statement filed in Reference No. 35 of 1994 is that R.S. Sharma and Gopalji Singh were promoted to Grade-I w.e.f. 19-11-75 in pursuance of Office Order dated 19-11-75 of Koyla Bhawan Headquarter of M/s. BCCL whereas their two other colleagues named R.B. Sharma and N.K. Sinha both also Sr. Stock Verifiers were promoted to clerical grade-I w.e.f. 24-11-75 and January, 1976. Out of these two workmen, the promotion of Shri R.B. Sharma became effective from 24-11-75 in pursuance of the same office order as applicable to cases of the above named R.S. Sharma and Gopalji Singh and N.K. Sinha was promoted to Clerical Grade-I in January, 1976, by a separate office order. Both R.B. Sharma and N.K. Sinha, Sr. Stock Verifier were junior to R.S. Sharma and Gopalji Singh in Clerical Grade-I. R.B. Sharma, Sr. Stock Verifier was promoted to Special Clerical Grade w.e.f. 6-4-84 whereas N.K. Sinha, Sr. Stock Verifier was promoted to special clerical Grade irregularly in 1983 by Sijua Area No. V of BCCL.

It has been stated that R.S. Sharma and Gopalji Singh have been promoted to Technical and Supervisory

Grade 'A' alongwith R.B. Sharma and N.K. Sinha, Sr. Stock Verifiers w.e.f. 6-6-91 but the two concerned workmen being senior to R.B. Sharma and N.K. Sinha in their promotion to Clerical Grade-I and being at par with R.B. Sharma in their promotion to special clerical grade have not been promoted to Technical and Supervisory Grade 'A' w.e.f. 6-6-91 inspite of their legal right for the same rather they have been superseded by R.B. Sharma and also by N.K. Sinha who was irregularly and violating promotion rule was promoted to Special Clerical Grade in 1983. The action of the management in promoting R.B. Sharma and N.K. Sinha to Technical and Supervisory Grade 'A' w.e.f. 6-6-91 in supersession of the two concerned workmen is violative of normal promotion rule and is illegal and management's action in denial of promotion to the two concerned workmen in Technical and Supervisory Grade-A suffers from vice of arbitrariness, is violative of normal promotion rule, is illegal and unjustified. Thereafter an industrial dispute was raised before the A.L.C.(C), and on failure of conciliation proceeding the matter has been referred to this Tribunal for adjudication.

3(A). The management has filed written statement in Reference No. 35 of 1994 stating therein that R.B. Sharma and Gopalji Singh were in Grade-I as Stock Verifier since 19-11-75. The entry of R.B. Sharma and N.K. Sinha in Clerical Grade-I as Stock Verifier is 24-11-75 and 1-1-76 respectively. It has been stated that R.B. Sharma and N.K. Sinha were not junior to the concerned workmen. Seniority of all the Stock Verifiers in Clerical Grade-I was finalised and circulated in accordance with the award of Central Government Industrial Tribunal-cum-Labour Court, Dhanbad, passed in reference No. 6 of 1980. It has been stated that R.B. Sharma and Gopalji Singh were promoted to Special Grade w.e.f. 6-4-83 and N.K. Sinha was promoted in Special Grade w.e.f. 1-6-83. The promotion of N.K. Sinha from Gr. I to Spl. Grade was done in accordance with the terms of tripartite settlement arrived at under Sec. 12(3) of the I.D. Act, 1947 between the management of Sijua Area and the workmen of representative of D.C.K.S. before ALC(C) Dhanbad on 24-12-87. It has been stated that R.S. Sharma and Gopalji Singh are not senior to R.B. Sharma and N.K. Sinha in Spl. Grade as the date of entry of N.K. Sinha being 1-6-83, his name figured at Sl. No. 1 on the seniority list of Sr. Stock Verifier Gr. II in Spl. Grade whereas the name of R.B. Sharma and Gopalji Singh is figured at Sl. Nos. 8 and 10 respectively of the seniority list. It has been stated that for Sr. Stock Verifiers Gr. II in Spl. Grade whose date of entry in Spl. Grade is the same i.e. 6-4-84, their position of seniority has been mentioned as per the seniority list of the Stock Verifier in Grade-I. It has also been stated that R.S. Sharma and Gopalji Singh have not been superseded by R.B. Sharma and N.K. Sinha in promotion to Sr. Stock Verifier in Gr. I in Technical and Supervisory Grade 'A'. It has been prayed that an award

be passed holding that the concerned workmen are not entitled to any relief.

4. Both the parties have filed their respective rejoinder in Reference No. 35 of 1994 admitting and denying the contents of some of the paragraphs of each other written statement.

5. The concerned workmen have filed their written statement in Reference No. 36 of 1994 stating therein that all the nine concerned workmen were promoted to Clerical Grade-I w.e.f. 19-11-75 in pursuance of office order dated 19-11-75 of Koyla Bhawan, Headquarter of BCCL, whereas their two other colleagues, namely, R.B. Sharma and N.K. Sinha, both Sr. Stock Verifiers posted in Koyla Bhawan were promoted to Clerical Grade-I w.e.f. 24-11-75 and January, 1976 respectively. Out of these two Sr. Stock Verifiers, R.B. Sharma's promotion to Clerical Grade-I became effective from 24-11-75 in pursuance of the same office order as applicable in cases of nine concerned workmen and N.K. Sinha was promoted to clerical Grade-I in January, 1976 by a separate office order. In view of above position R.B. Sharma and N.K. Sinha, Sr. Stock Verifiers were junior to the nine concerned workmen/Sr. Stock Verifiers in Clerical Grade-I. It has been stated that the nine concerned workmen were promoted to Special Clerical Grade w.e.f. 6-6-84 i.e. on the same day, whereas N.K. Sinha was promoted to Special Clerical Grade irregularly in 1983 by Sijua Area No. V of M/s. BCCL. It has been stated that the nine concerned workmen should have been promoted to Supervisory Grade-A alongwith R.B. Sharma and N.K. Sinha w.e.f. 6-6-91 but the concerned workmen being senior to R.B. Sharma in their promotion to Clerical Grade-I and being at par with R.B. Sharma in their promotion to Special Clerical Grade have not been promoted to Supervisory Grade 'A' w.e.f. 6-6-91 inspite of their legal right for the same rather they have been superseded by R.B. Sharma and also by N.K. Sinha who was irregularly and violating promotion rule was promoted to Special Clerical Grade in 1983. The action of the management in promoting R.B. Sharma and N.K. Sinha to Technical and Supervisory Grade 'A' w.e.f. 6-6-91 in supersession of the nine concerned workmen is violative of normal promotion rule and is illegal and the action of the management in denial of promotion to the nine concerned workmen in technical and Supervisory Grade-A suffers from vice of arbitrariness, is violative of normal promotion rule, illegal and unjustified. Thereafter an industrial dispute was raised before the A.L.C.(C), Dhanbad, and on failure of conciliation proceeding the matter has been referred to this Tribunal for adjudication.

6. The management has filed written statement in Reference No. 46 of 1994 stating therein that K.B. Jha and 8 other Stock Verifiers were promoted in Clerical Grade-I vide office order dated 19-11-75. The date of entry in Clerical

Gr. I of K.B. Jha, D. Chanchani, P.K. Singh, Rajeswar Singh, Umesh Jha, Bhagat Ram, P.K. Bhandari, D.K. Roy and C.K. Ganguli are 24-11-75, 1-1-76, 26-11-75, 10-11-75, 1-12-75, 28-11-75, 25-11-75, 3-12-75 and 1-12-75 respectively. It was clearly mentioned in the said office order that the promotion order will be effective from the date they report for duty in their new place of posting. The seniority list of all the Stock Verifiers in Clerical Grade-I was finalised and circulated in accordance with the award of the Central Government Industrial Tribunal-cum-Labour Court, Dhanbad passed in Reference No. 6 of 1980 vide Personnel Directorate's letter dated 1/6-12-83. It has been denied that R.B. Sharma and N.K. Sinha were junior to the concerned workmen in Clerical Grade-I in the Seniority List finalised and circulated the name of R.B. Sharma figured in Sl. No. 1 whereas the name of K.B. Jha and 8 others were below R.B. Sharma. It is a fact that N.K. Sinha was junior to them in Clerical Gr. I. Shri N.K. Sinha, Stock Verifier Gr. I, Sijua Area was promoted in Clerical Special Grade vide office order dated 31-10-88 by giving him notional seniority effective from 1-6-83 as per the terms of settlement arrived at U/Sec. 12(3) of the I.D. Act, 1947 between the management of Sijua Area and the workmen represented by Dhanbad Colliery Karmachari Sangh before ALC(C), Dhanbad on 24-12-87. Shri Sinha's date of entry in Special Grade being 1-6-83 his name figured at Sl. No. 1 of the seniority list of Special Grade. Shri R.B. Sharma was promoted with 9 other Stock Verifiers w.e.f. 6-4-84 figured at Sl. No. 2 of the seniority list of Stock Verifier in Special Grade. Since the date of promotion of all the 11 Stock Verifiers in Clerical Grade-I to Special Grade was same, their seniority was mentioned as per seniority list of Grade-I. It has been denied that the concerned workmen have been superseded by R.B. Sharma and N.K. Sinha in promotion to Sr. Stock Verifier in Gr. I in Technical and Supervisory Grade 'A'. So, it has been prayed that an award be passed holding that the concerned workmen are not entitled to any relief.

7. Both the parties have also filed their respective rejoinder in Reference No. 36 of 1994 admitting and denying the contents of some of the paragraphs of each other's written statement.

8. The management has produced MW-1 - Rabindra Nath Mitra who has proved Exts. M-1, M-2, M-2/1, M-3 and M-3/1. The management also produced MW-2 - T.P. Jha to support its case. The workmen have produced WW-1 - P.K. Singh who has proved Exts. W-1 to W-6.

9. As per Ext. W-1 it shows that R.S. Sharma, Gopalji Singh were found suitable for promotion to the post of Stock Verifier vide office order dated 19-11-1975. N.K. Sinha's name was not there. Final seniority list of Stock Verifiers given as per Ext. W-2 R.S. Sharma and Gopalji Singh were promoted. This final seniority shows that R. B. Sharma has joined on 18-8-58. Gopalji Singh joined on

1-4-71, R. S. Sharma joined on 3-6-69 and N.K. Sinha joined on 8-8-72. It shows that N.K. Sinha has joined after R.S. Sharma and Gopalji Singh and R.B. Sharma had joined on 1-4-71 after R.S. Sharma. It only shows that seniority list which has been prepared is not in according to seniority rules and it has been prepared unjustifiably. There is another order as per Ext. W-4 which was issued on 31-10-1988 and promotion was given to N.K. Sinha w.e.f. 1-6-1983.

10. Learned counsel for the management argued that R.S. Sharma and Gopalji Singh were junior, but this does not tally by document Ext. W-2 which shows that R.S. Sharma joined in grade w.e.f. 19-11-75 and N.K. Sinha had been given that grade on 9-1-76. It shows that N.K. Sinha is much junior to R.S. Sharma and Gopalji Singh because R.S. Sharma and Gopalji Singh entered into the grade on 19-11-75 and N.K. Sinha entered into the grade on 9-1-76 and it also shows arbitrariness. N.K. Sinha was promoted by Sijua Area, BCCL and not by M/s. BCCL as per Office Order dated 31-10-1988 and giving notional seniority w.e.f. 1-6-83 which shows that this has been done only to give benefit to N.K. Sinha illegally which is best known to the management and the responsible officers who have done this unjustified act. Regarding arbitrariness of management Ext. M-3/1 when D.P.C. was held it shows that marks regarding experience, CCR, qualification have been allotted by D.P.C. arbitrarily. Gopalji Singh had joined on 1-4-71 and on the basis he was given 21 marks but as regards N.K. Sinha who joined on 8-8-72 was given 22 marks on the basis of experience. It shows arbitrariness of D.P.C. Another arbitrariness of D.P.C. is that Gopalji Singh had qualification M.A. but N.K. Sinha was only B.Sc. even then Gopalji Singh and N.K. Sinha have been given same 30 marks for qualification, though Gopalji Singh should have been given more mark than N. K. Sinha who is simply graduate. It shows arbitrariness of the management. R.S. Sharma who has joined on 18-8-58 has been given 21 marks for experience and N.K. Sinha who has joined on 8-8-72 has been given 22 Marks, it shows that the management in this way or other has given more marks to N.K. Sinha giving favour to him because a person who joined in 1958, R.S. Sharma has been given 21 Marks for experience and N.K. Sinha has been given 22 Marks. It shows that D.P.C. helped benefit to N.K. Sinha by giving arbitrary marks in the promotion. It shows that the list prepared by the management Ext. M-2/1 is also on the basis of arbitrariness because it should have been prepared only on the basis of above seniority list or on the basis of qualification but this has not been done by the management.

11. In view of the discussions made above, I come to the conclusion that the action of the management of B.C.C. Ltd. in denying promotion to R.S. Sharma and Gopalji Singh, mentioned in the reference No. 45/94, to technical and supervisory Grade 'A' is not justified and also the action of the management in denying promotion to K. B. Jha, D. Chanchani, P. K. Singh, Rajeswar Singh,

Umesh Jha, Bhagat Ram, P.K. Bhandari, D.K. Ray and C.K. Ganguli, mentioned in the Reference No. 36/94, to Supervisory Grade 'A' w.e.f. 6-6-91 is not justified, hence the concerned workmen are entitled for Technical & Supervisory Grade 'A' w.e.f. 6-6-91. The management is directed to implement the award within 30 days from the date of publication of the award.

In the above manner the award is rendered.

H. M. SINGH, Presiding Officer.

नई दिल्ली, 23 मार्च, 2009

का.आ. 1090.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. I, धनबाद के पंचाट (संदर्भ सं. 113/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-2009 को प्राप्त हुआ था।

[सं. एल-20012/49/2001-आई आर (सी-1)]
स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 23rd March, 2009

S.O. 1090.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 113/2001) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 23-3-2009.

[No. L-20012/49/2001-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD.

In the matter of a reference U/s. 10 (1) (d) (2A) of I.D. Act.

Reference No. 113 of 2001

Parties : Employers in relation to the management of 20/21 Pits Colliery, under Western Jharia Area, Moonidih of M/s. B. C. C. L.

AND

Their workmen

Present : Shri H. M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri U.K. Dubey, Personnel Manager.

For the Workmen : Shri S. Prasad, Area Secretary.

State : Jharkhand. Industry : Coal.

Dated, the 12th March, 2009

AWARD

By Order No. L-20012/49/2001-C-I, dated 30-4-2001 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of BCCL in dismissing Shri Niranjana Nait, Loader from service is legal, proper and justified? If not, to what relief the workman is entitled?"

2. Written statement has been filed on behalf of the concerned workman stating therein that he was a permanent workman, working as Labour in 20/21, Pits Colliery under Western Jharia of M/s. BCCL. It has been stated that the concerned workman was issued charge-sheet No. 2296 dated 8-6-99 containing allegation against the concerned workman of his unauthorised absence from duty w.e.f. 16-2-1999. The charge-sheet was issued in his name after inordinate and unwarranted delay after about three months and three weeks after commencement of his absence violating the Certified Standing Orders which was never received by the concerned workman. It has been stated that due to sudden disorder cropping up in his health, from 15-2-99 resulting in his inability to attend duty and all these duly informed to the management by him and as such in the knowledge of the management, the concerned workman started remaining absent from 16-2-1999 and on account of information having been received by the management about his illness and absence for the said reason, the management chose not to issue charge-sheet in his name for about three months and three weeks, but reasons best known to the management, the management issued charge-sheet dated 8-6-1999 in his name and he came to know immediately about the issuance of charge-sheet and then he sent a petition dated 8-6-1999 itself to the management through his man which was received by the office of the colliery on 26-6-1999. In his petition he the concerned workman narrated the nature of disease and about his treatment under Govt. Doctor, Sri Bharat Singh and vide his petition dated 8-6-1999 he informed that as soon as he recovered he was report for his duty. When he came to know about the date of enquiry, he participated in the said enquiry conducted in hurry in which he was not allowed to take help of his co-worker which was conducted and completed violating principles of natural justice and without giving him opportunity

reasonably to submit his defence and on the basis of enquiry report of the Enquiry Officer suffering from information of non-application of his mind, in preparing the same, containing his perverse findings etc. therein out of which one infirmity is sufficient to set aside his dismissal as per decision of Hon'ble Supreme Court reported in AIR 1984 page 1805 given in the case of Rajinder Kumar Kendra vs. Secretary, Delhi Administration and others. It has been stated that before dismissing the concerned workman from service w.e.f. 6-12-99, the management did not supply him the copies of the enquiry proceedings and copy of the report of the Enquiry Officer to enable the concerned workman to submit his second show cause before his dismissal and by this lapse, the management further indulged in violation of the principles of natural justice with concerned workman as per decisions of Hon'ble Supreme Court given in famous case of Md. Ramjan Khan and the same reiterated in the case of B. Karunakar both reported respectively in 1991(1) Supreme Court cases 588 and reported in 1993 Supreme Court cases 727. Non-supply of the copies of enquiry proceedings and report of the Enquiry Officer before the dismissal of the concerned workman to him by the management to enable him to submit his second show-cause in his defence, the dismissal of the concerned workman is liable to be set aside. After dismissal the concerned workman prayed to the management to set aside the same appreciating his illness being bonafide cause of his absence but the management paid no heed to his prayer and the management paid no heed to the advice of concerned A.L.C.(C), Dhanbad during conciliation to set aside his dismissal and hence the present reference has been made. It has been prayed that the dismissal of the concerned workman be held illegal, improper and unjustified and he be reinstated with full back wages and other consequential benefits.

3. Written statement has not been filed on behalf of the management.

4. By order dated 29-8-2008 the domestic enquiry was held fair and proper as it was not challenged by the workman.

5. The main argument advanced on behalf of the concerned workman is that the management dismissed him regarding charge-sheet dated 8-6-99, but after dismissal order which was passed on 6-12-99 he has not been given enquiry report and proposed punishment, so the order of dismissal passed by the management is illegal and against the law. The domestic enquiry has found fair and proper on 29-8-2008. After enquiry it is must for the management to give second show-cause notice to the concerned workman for his defence. I have gone through the enquiry report Ext. M-4, but it does not mention any habitual absentee of the concerned workman though it has been argued that he was habitual absentee, but not a single habitual absentee record has been produced by the management so that the version of the management can be believed.

6. The dismissal letter Ext. M-6 shows that it has been passed after enquiry report and this does not show that the management served the enquiry report and proposed punishment to the concerned workman which shows which was against the principle of natural justice as well as law laid down by Hon'ble Supreme Court. The workman referred (1993) 4 Supreme Court Cases 727 in which Hon'ble Supreme Court has laid down that delinquent employee is entitled to a copy of enquiry report of the Enquiry Officer before the disciplinary authority takes decision on the question of guilt of the delinquent—Delinquent has a right to reasonable opportunity to represent against findings of Enquiry Officer.

7. In view of the discussions made above I come to the conclusion that the action of the management of BCCL, in dismissing Shri Niranjan Napit, Loader from service is not legal, proper and justified and consequently the concerned workman is entitled to be reinstated in service, but in the circumstances of the case, without any back wages. The management is directed to implement the award within 30 days from the publication of the award.

H.M. SINGH, Presiding Officer

नई दिल्ली, 23 मार्च, 2009

का.आ. 1091.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. I, धनबाद के पंचाट (संदर्भ सं. 166/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-3-2009 को प्राप्त हुआ था।

[सं. एल-20012/227/1996-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 23rd March, 2009

S.O. 1091.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 166/1997) of the Central Government Industrial Tribunal/Labour Court No. I, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 23-3-2009.

[No. L-20012/227/1996-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10 (1) (d) (2A) of I.D.
Act.

Reference No. 166 of 1997

Parties : Employers in relation to the management of
Govindpur Area No. III of M/s. B. C. C. L.

AND

Their workman

Present : Shri H. M. Singh, Presiding Officer.

APPEARANCES

For the Employers : Shri D. K. Verma, Advocate.

For the workman : Shri D. Mukherjee, Secretary,
Bihar Colliery Kamgar Union.

State : Jharkhand. Industry : Coal.

Dated, the 16th March, 2009

AWARD

1. By order No. L-20012/227/96-IR(C-I), dated 19-9-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Govindpur Area No. III of M/s. BCCL in denying to grant regularisation of the services of Shri H.N. Dasundhi, Legal Asstt. as Legal Asstt. in Technical Grade 'C' from 1990 with payment of full wages is legal and justified? If not, to what relief the workman is entitled?”

2. The concerned workman has stated in his written statement that he has been working as Legal Assistant as per direction and authorisation of the management since long with unblemished record of service, and he has put more than 240 days attendance in each calendar year as Legal Assistant. The workman has been working as Legal Assistant against permanent vacancy as permanent workman as per direction and authorisation continuously since long to the satisfaction of the management. The concerned workman was a Law Graduate and having experience of practising Advocate since last five years his joining at BCCL. Keeping in view the aforesaid facts and after appreciating the legal experience of the concerned workman the management authorised the concerned workman to perform his duty of Legal Assistant in the year 1990. Since then he had been rendering service and producing goods for the benefit of the management as Legal Assistant. After working for some time as Legal Assistant the management practically started taking the work of Sr. Legal Assistant from the concerned workman in view of his qualification and experience and sincerity. It has also been mentioned that letter was issued from the Headquarter, Koyla Bhawan in the year 1994 being

Ref. No. BCCL/PA/V/EST/95/1527 dated 20/21-12-94 with a direction to regularise the concerned workman as Sr. Legal Assistant but no action has been taken by the local management. The concerned workman represented before the management several times to confirm him in acting position that is in the post of at least Legal Assistant if not in the post of Sr. Legal Assistant but without any effect. Seeing no other alternative the union raised an industrial dispute before the A.L.C. (C), Dhanbad for regularisation of the concerned workman. The defence of the management before the Conciliation Officer was that the concerned workman has been working as Grade-II clerk under the Sr. Legal Assistant and hence the concerned workman was not entitled for regularisation. However, due to adamant attitude of the management the conciliation proceeding ended in failure, hence this reference has been made by the Ministry of Labour to this Tribunal for adjudication. The action of the management of Govindpur Area No. III of M/s. BCCL in denying to grant regularisation of the service of the concerned workman as Legal Assistant in Technical Grade 'C' with effect from 1990 was neither legal nor justified. The action of the management was illegal, arbitrary, unjustified and against the principles of natural justice. It has been prayed that before this Tribunal to answer the reference in favour of the workman by directing the management to regularise the concerned workman at least as Legal Assistant in Technical Gr. 'C' w.e.f. 1990 with all arrear of wages and consequential benefits.

3. The management has filed written statement stating that the concerned workman got employment in BCCL under Land Acquisition Scheme as Clerk in Grade-II. Considering his qualification as Law Graduate and having some knowledge in the matter of handling civil and criminal cases prior to his joining service under the company, he was attached to law department at the area office to work as clerk grade II. He worked under the control, direction and supervision of the Senior Legal Assistant who was posted at Area No. III as incharge of the law department. The claim of the concerned workman that he worked as Legal Assistant of the company in Area III from the date of his joining in 1990 is without any basis and his demand for regularisation as Legal Assistant with effect from date of his joining cannot be acceded to. It has been stated that the post of Legal Assistant is filled up after selection by a Selection Committee duly constituted by the company at the headquarter level. All eligible candidates possessing law degree and working in different areas of different collieries in clerical post or other posts having minimum five years experience are eligible for consideration for their selection as Legal Assistants. There is no procedure or rule for regularisation of a clerk Grade II in the post of Legal Assistant after giving him opportunity to work as clerk to the Senior Legal Assistant or to the Law Officer or to any other in a colliery or area or in the

headquarter. The legal qualification and experience is considered by the selection committee at the time of deciding the number of candidates for the post of legal assistant in order of merit. The present attempt of the sponsoring union department. The claim of the concerned workman that he worked as legal assistant of the company in Area III from the date of his joining in 1990 is without any basis and his demand for regularisation as legal assistant with effect from date of his joining cannot be acceded to. It has been stated that the post of legal assistant is filled up after selection by a selection committee duly constituted by the company at the headquarter level. All eligible candidates possessing law degree and working in different areas of different collieries in clerical post or other posts having minimum five years experience are eligible for consideration for their selection as legal assistants. There is no procedure or rule for regularisation of a clerk grade II in the post of legal assistant after giving him opportunity to work as clerk to the senior Legal Assistant or to the Law Officer or to any other in a colliery or area or in the headquarter. The legal qualification and experience is considered by the selection committee at the time of deciding the number of candidates for the post of legal assistant in order of merit. The present attempt of the sponsoring union to get the concerned workman regularised as legal assistant circumventing all the procedures and rules of the company as well as the constitutional protection available to all the workmen amounts to regularisation of mal practice and corruption or favouritism on the basis of sponsorship made by different trade union leaders. It has been stated that the claim of the concerned workman that he performed the jobs of legal assistant from the very date of his employment and he is entitled to be regularised is false, baseless and imaginary and the same is denied. He is not entitled to be regularised as legal assistant in any view of the matter and so he is not entitled to any relief.

In rejoinder the management has denied that the concerned workman is working as legal assistant under the direction and authorisation of the management and he is maintaining unblemished record of service. As a matter of fact, he was never selected as legal assistant by any selection committee. It has also been denied that the concerned workman worked as legal assistant and put 240 days attendance every calendar year or that he is working against any permanent vacancy or that he was given due authorisation by the competent person. He was never appointed or authorised to work as legal assistant by virtue of his legal qualification or his experience in the civil and criminal court. There is no question of pick and choose method of regularisation of any person as legal assistant when there are large number of candidates for such posts and the vacancies of such posts are filled by only after selection of such candidates on the basis of merit. It has been denied that the action of the management in refusing

to regularise the concerned workman as legal assistant in Grade 'C' was illegal, arbitrary, unjustified, vindictive in nature or against the principles of natural justice.

4. The rejoinder has been filled by the concerned workman stating that the concerned workman is a law graduate and also practising as an advocate for five years before his appointment, and at the time of appointment the management made it clear to him that work of legal matter will be taken from him but due to certain alleged technical difficulties initially he will not be given the designation of legal assistant. It has also been stated that it is false to allege that the management is not taking the work of legal assistant from the concerned workman taking consideration of his qualification and practical experience. It is absolutely false and unfortunate to alleged that the concerned workman attached to the law department as clerk Grade-II. It has been stated that the present demand for regularisation of the concerned workman made in view of the decision of Hon'ble Supreme Court reported in AIR 1984 (SC) page 1683 is legal and justified. It has been prayed that an award be passed in favour of the workman.

5. The management has produced MW-1 Ganesh Prasad who has supported the case of the management and he has stated in his examination-in-chief that I was posted in Area No. III of M/s. BCCL for a period between 1995 to 2000. Initially during that period I was Dy. Personnel Manager but thereafter I discharged my duties as personnel Manager. I know the concerned workman. He used to work in the said area as Gr. II clerk. From Gr. II a clerk is being promoted in Gr. I and then to technical Grade 'A'. The claim of the concerned workman that he should be placed in Technical & Supervisory Grade 'C' w.e.f. the year 1990 is not correct and justified. Grade-II clerks are required to do all the clerical jobs assigned to him. A worker cannot be regularised in a particular grade without the permission of Cadre Controlling Authority. Promotions are always made through D.P.C. in a sense the claim raised by the applicant is not with respect to his regularisation, rather for his promotion in Technical Grade 'C'. A legal assistant is being appointed and promoted on company level and not by any area. The demand of the concerned workman is not justified.

WW-1-Harinarain Dasundhi, the concerned workman examined himself and proved Ext. W-1 to W-6.

6. The main argument on behalf of the workman is that he is working as legal assistant in Legal Department but he has not filed any letter of appointment which may show that he was appointed as Legal Assistant. As per written statement filed it only shows that he was appointed as Clerk Grade-II under Land Acquisition Scheme, so it is necessary that after appointing him and promoting him as legal assistant D.P.C. should be held. The concerned workman has not filed any letter of appointment that he

was appointed as legal assistant with the management. It only shows that he was appointed as Clerk Grade-II under Land Acquisition Scheme. Because he was law graduate he was attached to the law department to work of legal matter, but it does not give him the post of legal assistant. In this respect the concerned workman has filed rejoinder on 23-4-2000 in which it has been stated that the concerned workman is a law graduate and also practising as an Advocate for five years before his appointment and at the time of appointment the management made it clear to him that work of legal matter will be taken from him but due to certain alleged technical difficulties initially he will not be given the designation of legal assistant. This admission of the written statement on behalf of the concerned workman shows that he was not appointed as legal assistant, but he was appointed, as per management, as Clerk Grade-II. By taking the work of legal department because the concerned workman was law graduate it can not be presumed that he was appointed as legal assistant. Exts. W-1, W-2, W-2/1 and W-2/2 show that he is seeing the job of legal matter and doing work in other cases. It is open to the management to take from any person any work as per qualification.

7. The learned counsel referred Ext. W-3. It has been recommended that the concerned workman will be given Grade 'C' but only recommendation, unless it is acted upon, it can not be said that any order has been issued for him appointing as legal assistant.

8. The concerned workman filed Ext. W-4 which shows that different persons have been upgraded from Grade-II to Grade-I, Gr. D to Gr. C, Gr. Spl. to Gr. A, Gr. I to Spl. Gr. There is no order which shows that Grade-II has been given Grade C which the concerned workman claims. Ext. W-5 also shows that the concerned workman was doing practising legal matters. As per Ext. W-6 dated 18-2-97 Shri Naresh Prasad, Clerk, Gr.-II regularised as Legal Assistant Gr.-II by CGM, Sijua Area is hereby regularised in proper Grade under Legal Cadre as per Legal Assistant Gr. C with immediate effect, and later on he was regularised as Legal Assistant in Gr. C by Koyla Bhawan, Headquarter of M/s. BCCL. It shows that the management of Govindpur Area III has got no right to regularise the concerned workman as Legal Assistant in Grade 'C'. It is done only by Koyla Bhawan i.e. Headquarter of M/s. BCCL.

9. The concerned workman stated in cross-examination that no such order was passed for placing him in legal cadre but in the year 1994 one office order was passed recommending for his regularisation as Sr. Legal Assistant. He also stated—'I cannot say whether a clerical cadre is a separate cadre or not. I cannot say whether in clerical cadre seniority is being maintained or not. I cannot say whether promotional avenue is available in clerical cadre or not.'

10. In this respect the learned counsel of the management referred 2004 Supreme Court Case (L & S) 264 in which hon'ble Supreme Court laid down that maintainability of petition for, in absence of any legal right—claim based on officiation in the promotional post for last ten years—Held, in absence of order of promotion passed in his favour, employee has no legal right to the said post. The Hon'ble Supreme Court further held—

"It is undisputed that the appellant was not promoted to the post of Public Relations Manager but only took charge and was discharging his duties on the said post. In absence of any order of promotion passed in favour of the appellant to the post of Public Relations Manager, he did not have any legal right to continue to hold the said post and no writ of mandamus therefor could be issued.

The contention of the appellant that since the appellant was promoted to E-2 grade in the year 1987, the circular dated 20-1-1993 was not applicable to the same provided only for promotion from the non-executive cadre to the executive cadre and hence the DPC should have considered his case for promotion to E-4 grade in the year 1995 cannot be entertained at this stage for the reason that the appellant's case before the High Court was that he should be promoted to E-5 grade, or in the alternative, his services be regularised therein.

11. The learned counsel of the workman referred AIR 1940 Patna—683 in which it has been stated that when witness not cross-examined his evidence must be accepted. The workman also referred 1977 criminal Law Journal 410 in which Delhi High Court laid down failure to cross-examine witness in respect of material assertion-party would be presumed to have admitted truth of that assertion and also referred 1992 (I) CLR 45 in which Calcutta High Court laid down that petitioner rendering service as a typist voluntarily from 1984 and daily-wage basis from 1986 till she was asked to go out in 1989 petitioner has put in sufficient number of days to obtain benefit for being regularised-Respondents shall sanction post if not already done and absorb petitioner as regular typist.

12. There is no evidence that he was selected as legal assistant by any selection committee or appointed as such by any competent authority and without D.P.C. he cannot be promoted as Legal Assistant Grade 'C'.

13. In the result, I render the following award—The action of the management of Govindpur Area No. III of M/s. BCCL. in denying to grant regularisation of the services of Shri H.N. Dasundhi, Legal Assistant as Legal Assistant in Technical Grade 'C' from 1990 with payment of full wages is legal and justified and the concerned workman is not entitled to any relief.

H.M. SINGH; Presiding Officer

नई दिल्ली, 30 मार्च, 2009

क्र.आ. 1092.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.सी.सी. एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या सं.-177/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-03-2009 को प्राप्त हुआ था।

[सं. एल-22013/1/2009-आई.आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th March, 2009

S.O. 1092.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 177/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Singareni Collieries Company Limited and their workman, which was received by the Central Government on 30-03-2009.

[No. L-22013/1/2009-IR(C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

Present : Shri Ved Prakash Gaur, Presiding Officer

Dated the 18th day of August, 2008

Industrial Dispute L.C.I.D No. 177/2004

Between

Sri N. Laxman Rao,
S/o Madhusudhan Rao,
R/o Q. No. 2436, ST-2, 8th Incline
Colony, RG-I Division,
Godavarikhani.Petitioner

AND

The General Manager,
The Singareni Collieries Company Limited,
Ramagundam-III, Maddepalli OCP,
Godavarikhani.Respondent

APPEARANCES

For the Petitioner : M/s. K. Ajay Kumar,
Smt. Sudha & M. Govind,
Advocate
For the Respondent: Sri P. A. V.V.S. Sarma,
Advocate.

AWARD

1. This is a petition filed under Sec. 2A (2) of the I.D. Act, 1947 by N. Laxman Rao against the management of the Singareni Collieries Company Limited which has been

received by this Court in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P.No. 8395 of 1989, dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The Petitioner has submitted in his written petition that he was appointed as general mazdoor in the Respondent Company in the year 1983 and he was removed from the service by the Respondent by order dated 18-11-98 although, the Petitioner had worked continuously without any blemished record of the service and has discharged his duties as per the instruction of his superiors and worked to the utmost satisfaction of his superiors till his was illegally dismissed from the service.

3. The Petitioner has submitted that while he was working with the Respondent organization, the Respondent management issued a chargesheet dated 14-3-1998 alleging the charge that unauthorized absenteeism without sanctioned leave or without sufficient cause or over-staying beyond sanctioned period of leave which amounts to misconduct under clause 25.31 of the company's standing orders, for which the Petitioner submitted his detailed explanation, explaining the circumstances, i.e., due to ill-health and personal inconvenience to attend the duties and denied the allegations.

4. The Respondent management without considering the explanation of the Petitioner objectively ordered for an enquiry and a stage-managed enquiry was conducted where in the Petitioner was denied with reasonable opportunity to participate in the enquiry, which is illegal, unjust and contrary to law and against the principles of natural justice.

5. The Petitioner submitted that Enquiry Officer before conducting the enquiry proceedings failed to explain the enquiry procedure properly, i.e., marking of documents etc. etc. He has also not given opportunity to the Petitioner to understand the language of the enquiry because Petitioner said that he knows only Telugu language and he could not understand the language of the enquiry i.e., English. As such, he was denied the opportunity to defend his case and thus, the enquiry has to be vitiated.

6. Petitioner has submitted that he explained the circumstances and reasons of his ill-health and also said that he has made communications to the superiors about the inability to attend the duty and personal problems which are unavoidable circumstances. He further submitted that he informed the Enquiry Officer that he has taken treatment in area hospital and unfit certificate issued by the hospital was handed over to the superiors. When he reported for duty after recovery from ill-health.

7. He further submitted that he put in 77 working musters in remaining 7 months of the year i.e., from June, 1997 to December, 1997.

8. He further submitted that his statement before the Enquiry Officer remained unchallenged. Thus, he explained

the reason for his absence from the duty. He had further stated that his absence from duty is neither wilful nor habitual. He further submitted that Enquiry Officer without considering the legal evidence and circumstances explained by the Petitioner, gave his findings pleading the Petitioner guilty of charges i.e., unauthorized absence without sanction of leave or without sufficient cause or over-staying without sanction of leave were based on mere surmises and conjunctures. The Petitioner submitted that Respondent management has imposed the capital punishment of dismissal without taking into consideration the past unblemished service record of the Petitioner. The punishment imposed upon the Petitioner do not commensurate with the gravity of the misconduct. As such, the punishment of the dismissal imposed on Petitioner is unwarranted and unjustified and desires to be quashed.

9. After receipt of the notice management has filed counter and has submitted that the company operates the mines and appropriate Government is Central Government. They have challenged that this Industrial Tribunal has no authority to straightaway receive the petition and take cognizance. They have challenged the jurisdiction of this court. They have further stated that the claim petition has been filed by Petitioner who was unauthorized absentee. Hon'ble Supreme Court in its latest judgment has held that unauthorized absenteeism need not be condoned and management is right to terminate the services of an unauthorized absentee. Further, Hon'ble Supreme Court in case law reported in 1996 (1) S CC 302 in the matter of State of U.P. and others Vs. Ashok Kumar Singh and another held as follows :

"...Having noticed the fact that the first Respondent has absented himself from duty without leave on several occasions, we are unable to appreciate the High Court's observations that "His absence from duty would not amount to such a grave charge". Even otherwise, on the facts of this case, there was no justification for the High Court to interfere with the punishment holding that "the punishment does not commensurate with the gravity of the charge" especially when the High Court concurred with the findings of the Tribunal on facts. No case for interference with the punishment is made out." The Hon'ble Supreme Court allowed the appeal.

10. With reference to the averments made in paras 3 and 4 it has been stated by the management that Petitioner was appointed in Respondent's company on 26-4-1997, at the time of dismissal he was working as Tripman. The averments of the Petitioner that he was discharging his duties as per the instructions of the superiors and working continuously without any blemish record of the service and working with the most of the satisfaction of his superiors is denied and asserted that Petitioner remained absent during the year 1997 and he put in only 77 days of

the attendance. As such, a chargesheet dated 14-3-1998 was issued to him and he was asked to explain the circumstances if any under company's standing order 25.31 which reads as follows. "Absence from duty without sanctioned leave or sufficient cause or over-staying beyond sanctioned leave."

11. The Petitioner received the same but did not submit his explanation. As such, a domestic enquiry was conducted by the Respondent management by following the principles of natural justice. The procedure of the enquiry was explained to the Petitioner in telugu and the proceedings at every stage were explained in Telugu and after the Petitioner understood the same he affixed his signatures on enquiry proceedings.

12. The averments in para 5 and 6 of the petition that they did not consider the explanation of the Petitioner, objectively and enquiry was ordered as stage managed and that the Petitioner was denied with reasonable opportunity to participate in the enquiry is denied and the Petitioner is put to strict proof thereof. It is reiterated that the enquiry has been conducted by giving full and fair opportunity to the Petitioner by following the principles of natural justice. The allegation of the Petitioner that the Enquiry Officer before conducting the enquiry proceedings failed to explain the enquiry proceeding properly has been denied. It has been stated that Petitioner, was given full opportunity to participate in the enquiry proceeding, he participated in the enquiry, but failed to prove that he was absent from the duty for the reasonable cause or just cause, no bias has been caused to the Petitioner.

13. With regard to the imposition of the punishment of the dismissal it has been stated that the punishment was imposed looking into the gravity of the misconduct committed by the Petitioner. Petitioner has got no valid or legal ground to challenge the order of dismissal and petition deserves to be dismissed.

14. Enquiry was held by this Court looking into the matter, legality and validity of the domestic enquiry held by the management/Respondent and my Learned Predecessor passed order dated 19-9-2006 holding that the domestic enquiry held by the Respondent management was valid and his order is available on this record.

15. I have heard the Learned Counsel for the Petitioner and the Respondent management at length. They have filed their written arguments as well.

16. It has been argued by the Learned Counsel for the Petitioner that the Petitioner's absence from the duty during the period January, 1997 to May, 1997 was due to the valid reasons that he was ill and he has taken treatment from the company's hospital and after he was declared fit he appeared before the company management in the office of OCP-III. He handed over the fitness certificate and he was allowed to join duties. It has been argued by him that

had he not produced the fitness certificate, he would not have been allowed by the management to join his duties in the office of OCP-III. As against this argument of the Learned Counsel of the Petitioner the Learned Counsel for the Respondent has argued that the claim of the Petitioner that he produced medical fitness certificate before the management is totally false and fraudulent because before the enquiry officer the Petitioner moved an application dated 30-7-1998 in Telugu language translation of which in English language placed by the Learned Counsel for the Respondent. Which reads as follows: "he remained absent from 1-1-1997 to 1-6-1997. In this period he has taken treatment in the company hospital and gave it in OCP-III. After that he was transferred to OCP-II. "therefore, kindly grant some time to produce a sick certificate during the enquiry." This application goes to prove that the Petitioner has not produced the sick certificate either before the company's management or before the enquiry officer to prove that he was ill between the period 1-1-1997 to 1-6-1997.

17. I have considered the argument put forward by the counsel from both sides and I have also gone through the application made by Petitioner before the enquiry officer on 30-7-1998 wherein he has prayed for time to produce the sick certificate. Enquiry file is available along with the record of this case, but I find that no sick certificate has been produced by the Petitioner before the enquiry officer. Not only that the Petitioner has not tried to obtain the sick certificate or filed that sick certificate before this court too during enquiry proceeding, the enquiry was held by my Learned Predecessor about the validity of the domestic enquiry but the Petitioner did not tried to find out the sick certificate and filed that sick certificate even before this Court while the enquiry was going on.

18. It has further been argued by the Learned Counsel for the Petitioner that the Respondent has got stage managed letter from the company's hospital which is paper No. 3 of enquiry file and dated 18-9-1998 wherein the medical superintendent of the Area Hospital, RG has informed the Superintendent of the Mines, Medipalli OCP-RG wherein the Medical Superintendent has informed that, "Sri N. Laxman Rao's treatment was not of sick list at Area Hospital, RG, during the period from January, 1997 to May, 1997." It has been argued by the Learned Counsel that this document has been procured by the management to prove its stand that workman was absent from the duty during the period 1-1-1997 to 1-6-1997. It has been argued by the Petitioner's Counsel that it was the duty of the Respondent to summon the medical superintendent of the Area Hospital to prove this document. As against this argument of the Learned Counsel for the Petitioner the management counsel has argued that it was not the duty of the Respondent to prove the fact of illness of the Petitioner. This letter was written by the medical

superintendent to superintendent of Mines during the enquiry proceeding when it was asked from Area Hospital about the treatment taken by N. Laxman Rao, from that hospital. In response to the query made by the management. So, it is not incumbent upon the management to prove that this letter dated 18-9-1998 is letter from the Area Hospital or not. It was the responsibility and duty of the workman to move that he was really sick during the period of his absence. Because para 25.31 of the standing order of the Respondent company stated that, "Absence from duty without sanctioned leave or sufficient cause or over-staying beyond sanctioned leave is misconduct." It was the duty of the Petitioner to prove that he remained absent from the duty for the sufficient cause. It is not the duty of the management to prove otherwise. In the light of the provision of Article 25.31 of the standing order the Petitioner was to prove that his absence was for a sufficient cause about which the Petitioner has claimed to have remained sick during the period. Under such a condition it was bounden duty of the Petitioner to have taken treatment during the period of sickness from Area Hospital of the company. Petitioner has claimed to have taken treatment of the Area Hospital whereas medical superintendent of the Area Hospital has written to the management that Petitioner of this case N. Laxman Rao has not taken treatment from that hospital during January, 1997 to 1st June, 1997. Under these circumstances, it was the duty of the Petitioner to have summoned emergency duty register of the Area hospital for the period 1-1-1997 to 31-1-1997. But Petitioner has not taken any such step to summon the genuine record of the hospital to prove his sickness and taking the treatment of the Area Hospital of the Respondent's company. Under these circumstances, the Petitioner has failed to prove that he remained absent during the period 1-1-1997 to 1-6-1997 from his duty for a sufficient cause. The Petitioner has not taken a stand that he sought any leave before remaining absent from the duty. As such, question of over-staying beyond sanctioned leave does not arise in this case. Only two clauses applicable i.e., absence from duty without sanctioned leave and secondly absence from duty without sufficient cause.

19. The Learned Counsel for the Respondent has relied on the judgement of the Hon'ble Supreme Court reported in 1996(1) SCC 302 in the matter of State of U.P., and others Vs. Ashok Kumar Singh and another held as follows: "...Having noticed the fact that the first Respondent has absented himself from duty without leave on several occasions, we are unable to appreciate the High Court's observations that "His absence from duty would not amount to such a grave charge". Even otherwise, on the facts of this case, there was no justification for the High Court to interfere with the punishment holding that the punishment does not commensurate with the gravity of the charge" especially when the High Court concurred with the findings of the Tribunal on facts. No case for

interference with the punishment is made out." The Hon'ble Supreme Court allowed the appeal. Relying on this judgement of the Hon'ble Supreme Court, the Respondent's counsel has argued that the Petitioner has remained absent which is a grave misconduct according to point 25.31 of standing orders of the company. As such, the company has not committed any excess or illegality in dismissing the Petitioner from the services.

20. I have considered the arguments of the both side and also have gone through the case law cited by the Learned Counsel for the Respondent. In the case in hand, the stand of the Petitioner is that he was sick during the period from 1-1-1997 to 1-6-1997 but the Petitioner could not prove that he remained sick during the period 1-1-1997 to 1-6-1997 because if the Petitioner was sick from which ailment he was suffering he could not explain, either before this Court or before the Enquiry Officer. However, after the submission of the enquiry report when his explanation was sought on the enquiry report by the management he submitted his explanation which is paper No.18 dated 1-11-1998 in the enquiry file. Wherein, para 4, he has written that, "Long ago, I met with a road accident on scooter, and that lead me to frequent strokes of pain in limbs and back bone and also other parts of body." In para 5 of the said explanation he has written as under: "Due to above reason and ailing physical strain it happened to undergo absenteeism from 1-1-1997 to 31-5-1997. Also few more days up to 31-12-1997." This explanation goes to show that the Petitioner has not sustained any injury nor he met with road accident during the period of his absence from 1-1-1997 to 31-5-1997, but he suffered such road accident long ago before this absenteeism. Then what ailment he was suffering from during the period 1-1-1997 to 31-5-1997, he has not been explained either during the enquiry proceedings or before this Court. This amply proves that the alleged ailment or physical strain of the Petitioner was hypothetical. Had he been sick, he would have certainly gone to the company's hospital and has received proper treatment from there. Further, he would have known from which ailment he was suffering during the period. But, he has not been able to clarify the ailment he was suffering from. The hospital authority reported that the Petitioner N. Laxman Rao has not taken any treatment from their hospital. It proves the malafides of the Petitioner that he was neither sick nor he was suffering from any ailment or physical strain during the period of absenteeism. As such his absenteeism from the work place during the period 1-1-1997 to 31-5-1997 is without sufficient cause or reasonable cause. Further the Petitioner himself has written in his explanation dated 1-11-1998, paper No.18 of the enquiry file that he has remained absent for few more days even after 31-5-1997 upto 31-12-1997. But he has not explained the reason of his absenteeism during those period also. This proves that the Petitioner is a habitual absentee and it also appears that he is a careless man. As

Such the argument of the Learned Counsel for the Respondent has got force that since the Petitioner is a habitual defaulter and absentee from the work place he deserves no sympathy and management has rightly dismissed him from service.

21. Learned Counsel for the Petitioner has argued that the management could have taken a lenient view in the matter because the Petitioner has worked for 77 days during the remaining period of the year 1997 and he has sufficient number of leaves to his credit in the form of earned leave, medical leave and leave without pay. Then the management could have granted the Petitioner leaves which are available to him. As against this argument of the Learned Counsel for the Petitioner the Learned Counsel for the Respondent has argued that had the Petitioner proved his bonafide for remaining absent during the period of 5 months from the place of work, the management would have certainly considered to grant leave to the Petitioner. But since the Petitioner was working at a very important position and so many persons were affected due to the absenteeism of the Petitioner and Petitioner has not proved his bonafides for his absence, that is why the management has not considered it fit to grant leave to the Petitioner. Nor the Petitioner deserves any sympathy from the management.

22. I have considered the argument of both sides and I am of the view that contention of the Learned Counsel for the Respondent is acceptable because the Petitioner remained absent for 5 long months without any information to the management for any sufficient or valid reasons and thus the management was within its legal right to not allow any leave to the Petitioner. Moreover, there is no such application form the side of the Petitioner to grant earned leave or leave without pay to him. Apart from this, the Petitioner has remained absent even after the period of 1-6-1997 to 31-12-1997. As such, the management has not committed any illegality or mistake in not granting earned leave or leave without pay to the Petitioner. And argument of the Learned Counsel for the Petitioner has got no force.

23. Learned Counsel for the Petitioner has relied upon case law 1997(Vol.I) LLJ.1104(SC.) & 1973(1) LLJ.278 but these case laws are not applicable in this case.

24. Having considered the entire arguments, facts and circumstances available in this case, I am of the definite view that the Petitioner remained absent from the work place for long period of 5 months without any reasonable or good cause. As such, he has committed a grave misconduct mentioned in clause 25.31 of the standing order of the company and the order of dismissal deserves no interference from this Court. The Petitioner deserves no sympathy from the Court. The petition is dismissed.

Ordered accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 18th day of August, 2008.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner. Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 30 मार्च, 2009

क्र.आ. 1093.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर, के पंचाट (संदर्भ संख्या सं.-35/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-03-2009 को प्राप्त हुआ था।

[सं. एल-22012/211/2004-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th March, 2009

S.O. 1093.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Amadand Sub Area of SECL, and their workmen, received by the Central Government on 30-03-2009.

[No. L-22012/211/2004-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT JABALPUR

NO. CGIT/LC/R/35/05

Presiding Officer : Shri C.M. Singh

The Secretary/President,
Samyuktha Koyla Mazdoor Sangh (AITUC),
c/o Sanjay Mishra, Telephone Exchange,
PO : Kotma Colliery, Shahdol ... Workmen/Union

Versus

The Sub Area Manager,
Amadand sub Area of SECL,

PO : Chokan, Shahdol

....Management

AWARD

Passed on this 9th day of February, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/211/2004-IR (CM-II) dated 13-5-05 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the Chief General Manager, Jamuna & Kotma area of SECL in not promoting / regularising Sh. Birjoram Sahu and 8 others (list enclosed) to the post higher to their designated post in which they are being utilized is legal and justified? If not, to what relief the workmen are entitled?”

2. Vide order dated 28-4-08 passed on the ordersheet of this reference proceeding, the reference proceeded ex parte against workmen/Union. No statement of claim has been filed on behalf of workmen/Union.

3. The management has filed their Written Statement according to which the case of the workmen/Union has no merit and is liable to be dismissed.

4. No evidence has been filed by the parties. It is the case of no evidence and therefore the reference deserves to be decided in favour of the management and against the workmen/Union without any orders as to costs.

5. In view of the above, the reference is answered in favour of the management and against the workmen/Union without any orders as to costs holding that the action of the Chief General Manager, Jamuna & Kotma area of SECL in not promoting/regularising Sh. Birjoram Sahu and 8 others (list enclosed) to the post higher to their designated post in which they are being utilized is legal and justified and consequently the workmen are not entitled to any relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 30 मार्च, 2009

क्र.आ. 1094.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस.ई.सी. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण भुवनेश्वर, के पंचाट (संदर्भ संख्या 06/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-03-2009 को प्राप्त हुआ था।

[सं. एल-22012/326/2006-आईआर(सी एम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th March, 2009

S.O. 1094.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref.06/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the management of Lingaraj Area of M/s. MCL, and their workmen, received by the Central Government on 30-03-2009.

[No. L-22012/326/2006-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

The Chief General Manager

Linging Area of M/s. MCL Aagnal ...1st Party management
Vrs.

The General Secretary ...2nd Party Workman
Talcher Kocilakhari Mazdoor Sangh

AWARD

This is advanced to this date as the parties filed a Joint Memorandum of Settlement to compound the case.

The Government of India, Ministry of Labour, New Delhi in their letter No. L-22012/326/2006-IR (CM-II), dated 21-3-2007 referred the matter for adjudication of the following dispute.

"Whether the Chief General Manager, Lingaraj Area of M/s. Mahanadi Coal Fields Limited, Talcher is justified in not promoting Shri Sudarsan Mohanty to the post of Sr. Overman/Head Foreman, T&S Grade-A with effect from 23-8-2002? If not, to what relief is the workman entitled?"

Today by filing a joint Memorandum of Settlement, both the parties contended to have compounding the dispute. Heard the parties and perused the settlement. As per the settlement the Management has agreed to give notional seniority to the disputant-workman with effect from 24-1-2003 with national fixation and there shall be no claim for back wages. There being no mention about the promotion of the disputant-workman the latter gave a memo stating to have already been promoted with notional seniority with effect from the above date and as such he wanted to compound the case in terms of the above settlement.

In view of the above and the joint settlement filed by the parties, the reference is answered accordingly.

Dictated

Sd/

Presiding Officer

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1095.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं पी.जी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 9/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-04-2009 को प्राप्त हुआ था।

[सं. एल-42012/245/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1095.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2005) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of PGI and their workman, which was received by the Central Government on 01-04-2009.

[No. L-42012/245/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

BEFORE SHRI GYANEDNRA KUMAR SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. I.D. 9/2005

Sh. Gopal, S/o Shri Raghubir Singh, C/o Shri Mangal Singh,
R/o 1370, Dadu Majra Colony, Chandigarh.

.... Applicant

Versus

The Director, PGI, Sector-12, Chandigarh.

.... Respondent

APPEARANCE

For the workman: Shri Suresh Kumar, Advocate
For the management: Shri N.K. Zakhmi, Advocate

AWARD

Passed on 17-3-2009

Central Government vide notification No. L-42012/245/2003-IR(CM-II), dated 24-12-04, has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of PGI Chandigarh in terminating the services of Shri Gopal Sweeper, w.e.f. 15-9-2001 is legal and justified? If not, to what relief the workman is entitled to?"

2. The workman is present in person in Lok Adalat. Prescribed authority is also present. Long discussion took place. The management of PGI agreed to provide the job to the workman through Contractor on same terms and conditions on which he was working earlier. The Management also ensure the payment as per law. The workman accepted this offer and accordingly this reference is settled with the order/direction to the management to provide the job to the workman on the same terms and conditions on which he was working earlier right from today.

In view of the above, the reference is returned to Central Government as settled. Central Government be informed File be consigned.

Chandigarh

17-3-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1096.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्कैलोजिकल सर्वे ऑफ इण्डिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 77/2004) जो उक्त अधिकरण द्वारा दिनांक 18-3-2009 के आदेश द्वारा संशोधित किया गया है, जैसा कि अनुबंध में दर्शाया गया है, को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-04-2009 को प्राप्त हुआ था।

[सं. एल-42012/262/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1096.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 77/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow which has been modified by the said Tribunal by Order dated 18-03-2009 as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Archaeological Survey of India and their workman, which was received by the Central Government on 01-04-2009.

[No. L-42012/262/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

O/o CGIT-CUM-LABOUR COURT GOVERNMENT OF INDIA

KENDRIYA BHAWAN, 8TH FLOOR, HALL NO.-1, SECTOR-H, ALIGANJ, LUCKNOW

I.D. 77/2004

Dated 18-3-2009

CORRIGENDUM

In partial modification of this office award dated 06-02-2009 in the ID No. 77/2004 between Kamal S/o Shri Mahendra Singh R/o Tajganj, Agra and the Superintendent Archaeologist, Archaeological Survey of India, Agra, hindi portion of the IInd Paragraph in the said award may be read as

क्या अधीक्षण पुरातत्वविद, भारतीय पुरातत्व सर्वेक्षण आगरा द्वारा कर्मकार श्री कमल आत्मज श्री महेन्द्र सिंह को सेवा में नियमित नहीं करके दि. 01-07-2002 से सेवा से निष्कासित करना न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष का हकदार है?

Instead of

प्रबंधन, भारतीय जीवन बीमा निगम, मेरठ द्वारा कर्मकार श्री मूलचन्द पुत्र श्री भूरे सिंह चपरासी को दि. 21-08-99 से नौकरी से

निकाला जाना उचित एवं न्यायसंगत है? यदि नहीं, तो कर्मकार किस अनुतोष का अधिकारी है?

N.K. PUROHIT, Presiding Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present : Shri N. K. Purohit, Presiding Officer

I. D. No. 77/2004

Ref. No. L-42012/262/2003-IR (CM-I) dated: 3-8-2004

Between

S) Kamal, S/o Shri Mahendra Singh
R/o 14/1, Pulia Pak Tola
Navada, Tajganj
Agra (U.P.)

AND

The Superintendent Archaeologist
Archaeological Survey of India
22, Mall Road
Agra (U.P.)

AWARD

6-2-2009

1. By order No. L-42012/262/2003-IR(CM-I) dated: 3-8-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Kamal, S/o Shri Mahendra Singh, R/o 14/1, Pulia Pak Tola, Navada, Tajganj, Agra and the Superintendent Archaeologist, Archaeological Survey of India, 22, Mall Road, Agra for adjudication.

2. The reference under adjudication is :

क्या अधीक्षण पुरातत्वविद, भारतीय पुरातत्व सर्वेक्षण आगरा द्वारा कर्मकार श्री कमल आत्मज श्री महेन्द्र सिंह को सेवा में नियमित नहीं करके दिनांक 1-7-2002 से सेवा से निष्कासित करना न्यायोचित है? यदि नहीं, तो सम्बन्धित कर्मकार किस अनुतोष का हकदार है?

3. The case of the workman is that he was engaged as Safai Karmchhari with the ASI and worked as such continuously w.e.f. 25-10-2000 to 30-6-2002 for more than 240 days in a year and accordingly, has attained right to be permanent in the services. The workman has further submitted that he has been terminated illegally w.e.f. 01-07-2002 without any prior intimation or notice or complying with the provisions of Section 25 F of the Industrial Disputes Act, 1947. The workman has alleged that terminating his services the employers have engaged about six new workmen and accordingly has violated provisions contained in Section 25 H and 25 G of the

I.D. Act, 1947. Accordingly the workman has prayed for reinstatement with full back wages and regularization in the services.

4. The management of ASI has filed its, written statement whereby it has submitted that the appointments in their department is made as per instructions and guidelines issued by the Government of India, from time to time, by proper selection, through the Employment Exchange and the workman had neither been sponsored by the Employment Exchange nor he has ever been put to formal selection procedure. It has specifically denied the claim of the workman regarding working duration and has stated that the workman was engaged by them for purely casual nature of work for 27 days only i.e. during 01-10-2001 to 31-10-2001 and as soon as the item of work was completed his services were no more required. The management has denied the averment of the workman regarding working for more than 240 days in a year in as much he has not filed any proof in support thereof and onus for same lies on the workman itself. It has also denied the engagement of any fresh hand post termination of the workman. Accordingly, the management has submitted that the claim of the workman is false, frivolous and baseless hence should be denied and he should not be given any relief as prayed by him in his statement of claim.

5. The workman has filed rejoinder and has whispered nothing new apart from reiterating the facts already stated by him in the statement of claim.

6. The parties have filed documentary evidence in support of their respective claim, which includes photo copy of 'Identity Card' by the workman where as the opposite party has filed photo copy of Labour Payment Register and Muster Roll for period 01-10-2001 to 31-10-2001. The workman has examined himself in support of his case whereas the management of ASI has examined Shri M.C. Sharma, Sr. Conservation Assistant in support of their respective cases. The parties have submitted oral arguments apart from written arguments.

7. Heard arguments of learned representative of both the parties and perused evidence on record.

8. The learned representative on behalf of the workman has contended that the workman had worked as Safai Karmchhari at Tajmahal for more than 240 days in a calendar year from 25-1-2000 to 30-6-2002. He has further contended that an Identity card, which has been issued to the workman by Sh. M.C. Sharma, Sr. Conservative Assistant on 7-5-2002, falsifies the contention of the management that workman had worked for 27 days only. He has also contended that work of a Safai Karmchhari at Tajmahal is not a temporary nature of work for a particular period as subsequent to termination of the workman, six new Safai Karmchhari have been employed. Moreover, the workman has been terminated orally without any retrenchment compensation and wages in lieu of one

month notice, thus, the services of the workman has been terminated in violation of Section 25F, G & H of the I.D. Act.

9. Per contra, the learned representative on behalf of the management had urged that the workman had worked as Safai Karmchhari for 27 days only from 1-10-2001 to 31-10-2001. In support of the management case original muster rolls from 25-10-2000 to 31-3-2004 have been produced at the time of evidence of both the sides and the copies of the same are on the record which reveal that workman had not worked for 240 days in a calendar year. He has also urged that identity card said to be issued by Sh. M.C. Sharma is forged as Sh. M.C. Sharma has denied his signature on the said identity card. There is no documentary evidence to substantiate the claim of the workman so his claim is liable to be rejected.

10. I have given my thoughtful consideration on the rivals submission of both the sides.

11. It is not disputed that workman had worked as a Safai Karmchhari at Tajmahal. The case of the workman is that he had worked for more than 240 days whereas management has contended that workman had worked for a period of 27 days only. In this regard the workman has stated in his statement on oath that he had worked as Safai Karmchhari from 25-10-2000 to 30-6-2002 whereas the management witness Sh. M.C. Sharma, Sr. Conservative Asstt. Has stated that the workman had worked only for 27 days from 1-10-2001 to 31-10-2001. At the time of his evidence, the original muster rolls for the period 25-10-2000 to 31-3-2004 were produced for perusal and the same were shown to the workman at the time of his cross examination. The workman has admitted in cross-examination that as per above muster rolls he had worked for the period 1-10-2001 to 31-10-2001 only and he has also admitted his signatures on the above muster rolls for receiving wages of 27 days. Thus, the above admissions made by the workman in support the case of the management that workman had not worked for 240 days in a calendar year preceding the date of his alleged termination.

12. In support of his oral evidence, the workman has submitted photocopy of the identity card said to be issued by Sh. M.C. Sharma on 7-5-2002. The original identity card has not been produced, moreover, Sh. M.C. Sharma has denied his signature on the said identity card and he has alleged in his statement on oath that above identity card is forged. Upon perusal of the photocopy of the identity card it reveals that signatures are not legible and there is neither any mark of identification nor signature of the applicant on the above identity card. Therefore, above identity card said to be issued by Sh. M. C. Sharma seems to be not genuine.

13. It is well settled legal position that initial burden of establishing the factum of continuous work for 240 days

in a year rests with the workman & not on the employer. In the Range Forest Officer V. S.T. Hadimani JT 2002(2) SC 238 Hon'ble Apex court has observed that :

"In our opinion, the tribunal was not right in placing the onus on the Management without first determining on the basis of cogent evidence that the respondent had worked for more than 240 days in the year preceding his termination. It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that cannot be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days in a year. No proof of receipt of salary or wages for 240 days or order or record of appointment or engagement for this period was produced by the workman. On this ground alone, the award is liable to be set aside."

14. In the present case admittedly no vacancy was advertised no appointment or offer of appointment was ever issued to the workman. He has produced no received slips of wages. The management witness denied the claim of the workman and the workman had admitted in his cross-examination that as per muster rolls he had worked only for 27 days from 1-10-2001 to 31-10-2001. The identity card produced by him in support of his claim seems to be not genuine & there is no other documentary evidence in the record to substantiate the claim of the workman.

15. In view of the above discussions, the workman has failed to establish that he had worked as Safai Karmchhari for at least 240 days preceding the year the date of his alleged termination on 1-7-2002 & there is any alleged violation of Section 25F & 25G of the I.D. Act.

16. Accordingly, the reference order is adjudicated against the workman and the workman is not entitled for any relief.

17. Award accordingly.

Lucknow N. K. PUROHIT, Presiding Officer

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1097.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (संदर्भ संख्या 91 से 94/2006) जो उक्त अधिकरण द्वारा दिनांक 03-02-2009 के आदेश द्वारा संशोधित किया गया है, जैसा कि अनुबंध में दर्शाया गया है, को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-04-2009 को प्राप्त हुआ था।

[सं. एल -22012/156/2006-आई.आर.(सी.एम.-II)

एल -22012/160/2006-आई.आर.(सी.एम.-II)

एल -22012/159/2006-आई.आर.(सी.एम.-II)

एल -22012/158/2006-आई.आर.(सी.एम.-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1097.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No.91 to 94/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad which has been modified by the said Tribunal by Order dated 03-02-2009 as show in the annexure in the Industrial Dispute between the employers in relation to the management of M/s. SCCL and their workman, which was received by the Central Government on 01-04-2009.

[No. L-22012/156/2006-IR(CM-II)

L-22012/160/2006-IR(CM-II)

L-22012/159/2006-IR(CM-II)

L-22012/158/2006-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

Present : Shri VED PRAKASH GAUR, Presiding Officer

Dated the 24th day of September, 2008

Industrial Dispute Nos. 91 to 94/2006

BETWEEN

The General Secretary, (Sri Bandari Satyanarayana),

Singareni Collieries Employees Council,

H.No. 18-3-90/3, Ganesh Nagar,

Markandeya Colony, Godavarikhani,

Karimnagar (Andhra Pradesh) -505209Petitioner

AND

The General Manager,

M/s. Singareni Collieries Company Limited,

Mandamarri Division, MandamarriRespondents

CORRIGENDUM

Award passed in ID 91 to 94/2006 on 24-9-2008 and were published in the official gazette on 4-11-2008.

Due to typographical error in the cause title; under 'Appearances', it was wrongly typed

As

"For the Respondent: M/s. M.V. Hanumanth Rao & K. Sectarama Rao, Advocates"

Instead of,

"For the Respondent : Sri S.M. Subani, Advocate"

VED PRAKASH GAUR, Presiding Officer

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1098.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं इण्डियन म्यूजियम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोलकता के पंचाट (संदर्भ संख्या-14/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-4-2009 को प्राप्त हुआ था।

[सं. एल-42012/168/2002-आई.आर. (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1098.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.14/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure in the Industrial Dispute between the management of Indian Museum, M/o Human Resource and Development, and their workmen, received by the Central Government on 1-4-2009.

[No. L-42012/168/2002-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 14 of 2003

Parties: Employers in relation to the management of
The Director, Indian Museum

AND

Their workmen

Present : Mr. Justice C. P. Mishra
....Presiding Officer.

Appearance

On behalf of the : Mr. S. K. Karmakar, Advocate
Management.

On behalf of the : Mr. D. K. Sengupta, Advocate with

Workmen : Mrs. S. Banerjee, Advocate.

Industry : Museum

State : West Bengal

Dated, the 26th March, 2009.

AWARD

By order No. L-42012/168/2002-IR(CM-I) dated
17-2-2003 the Government in the Ministry of Labour in

exercise of the powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal adjudication :

“Whether the action of the management of Director, Indian Museum, Calcutta in terminating the services of 5 workmen as per attached list w.e.f. 23-7-97 is legal and justified? If not, to what relief the concerned workmen and entitled?”

LIST OF WORKMEN

1. Sh. Chandan Ojha
2. Sh. Dilip Kr. Roy
3. Sh. Biswajit Sharma
4. Sh. Ranjan Mallick
5. Sh. Debjyoti Parakayastha.

2. When the case is called out today, learned Advocates for both the parties state that the dispute under reference has been settled between the parties amicable out of court and file a Joint Petition of Compromise in this reference. They pray for an Award in terms of the said joint Petition of Compromise.

3. I have considered the joint petition of compromise, The terms of settlement as mentioned in the joint petition of compromise appears to be fair, reasonable and in the interest of the parties. I accept the same and pass an Award in terms of the said joint petition of compromise, which forms part of this Award as Annexure-A.

This is my Award.

C. P. MISHRA, Presiding Officer

Dated, Kolkata
The 26th March, 2009

ANNEXURE-A

BEFORE THE HON'BLE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL WEST BENGAL, KOLKATA

Reference No. 14 of 2003

In the Matter of : Government of India Order of
Reference

No. L-42012/168/2002/IR (CM-II) Dated 27th January,
2000

AND

In the Matter of : An alleged Industrial Dispute

Between

Employer in relation to Indian Museum

And

Their alleged Workmen—Shri Chandan Ojha/ Sri Biswajit
Sharma and Others;

The humble joint petition of compromise on behalf of the parties above named—

Most Respectfully Sheweth :

1. That the above matter is pending before Your Honour
2. That the above matter has been settled by and between the parties on the following terms and conditions :

- (i) It is agreed that the system of engagement of Muster Roll workers have been discontinued vide office order No. T. O. No. 45 (97-98) dated 23rd July, 1997.
- (ii) That Sri Chandan Ojha/Sri Biswajit Sharma and others whose names have been mentioned in the order of reference have agreed to take employment under the agency or the contractor who have undertaken the job of casual nature in Indian Museum on the terms and conditions stipulated, by and between the Indian Museum and the Agency on contractor;
- (iii) The terms and conditions of such employment with the said agency shall be decided by the said agency. The Indian Museum will have no role to regulate the terms and conditions of their employment in the said agency;
- (iv) The statutory liabilities during the period of employment of those employees under the said agency shall be discharged by the said agency/contractor and Indian museum shall in no way responsible with regard to those liabilities under any circumstances;
- (v) It is agreed that Sri Chandan Ojha/Sri Biswajit Sharma and others shall not make any claim to the Indian Museum either for their absorption in Indian Museum or regularization of any kind of employment with the Indian Museum at a later stage. Unless they qualify in conformity with Recruitment Rule of Indian Museum.
- (vi) Shri Chandan Ojha/Shri Biswajit Sharma and others have agreed that they shall not make any claim for reinstatement as prayed before the Tribunal or reemployment or any kind of employment with the Indian Museum nor will they prefer any claim in any form with regard to the alleged dispute referred to the Hon'ble Tribunal, monetary or otherwise;

- (vii) Shri Chandan Ojha/Shri Biswajit Sharma and other have agreed that there shall not subsist any employer employee relationship between the Indian Museum and Shri Chandan Ojha/Shri Biswajit Sharma and others whose names have been referred in the other of reference;

In view of the terms of settlement arrived at in clause (i) to (vii) all the disputes and demands arising out of the instant order of reference stands settled fully and finally. No other amount, statutory or otherwise, is due and payable by the Indian Museum to Shri Chandan Ojha and others. Nor can any claim be preferred by them in any Court of Law or Authority or Tribunal or forum either for any amount or otherwise pertaining to the issues involved in the order of reference;

This settles all the disputes and demands, fully and finally.

It is, therefore, humbly prayed that your Lordship may be graciously pleased to dispose of the order of reference in view of the settlement arrived at as above and pass an order or award or any other order or orders as the Hon'ble Tribunal may deem fit and proper;

And for this act of kindness Your petitioner as in duty bound shall ever pray.

(1) Biswajit Sharma 18-3-2009

(2) Ranjan Mallick 18-3-2009

18-3-2009 Workmen

**BEFORE THE HON'BLE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, WEST BENGAL,
KOLKATA**

In the Matter of : Employer in relation to Indian Museum
AND

Their alleged Workmen—Shri Chandan Ojha/Shri
Biswajit Sharma and Others

Memorandum of Settlement

TP2/Museum-Workmen Memorandum settle (1).

नई दिल्ली, 1 अप्रैल, 2009

क्र.आ. 1099.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम

न्यायालय कोलकता के पंचोट (संदर्भ सं.-15/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-4-2009 को प्राप्त हुआ था।

[सं. एल-40012/188/2003-आई आर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1099.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.15/2004) of the Central Government Industrial Tribunal cum Labour Court, Kolkata as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Post and their workman, which was received by the Central Government on 1-4-2009.

[No. L-40012/188/2003-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

AT KOLKATA

Reference No. 15 of 2004

Parties : Employers in relation to the management of
Department of Post

AND

Their workmen

Present : Mr. Justice C. P. Mishra

....Presiding Officer.

Appearance :

On behalf of the : Mr. S. Dan, Advocate
Management.

On behalf of the : Mr. N. Ganguly, Advocate
Workmen

State : West Bengal

Industry : Posts

Dated, the 25th March, 2009.

AWARD

By Order No. L-40012/188/2003-IR(DU) dated 23-4-2004 and Corrigendum of even number dated 27-4-2005 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

“Whether the action of the Supdt. Of Post Offices, North Hooghly Division, P.O. Chinsurah Hooghly (WB) in terminating the services of the workman Shri Jayanta Kumar Hazra S/o. Jugal Kishore Hazra is just and fair? If not what remedy the workman is entitled to?”

2. This reference has been made at the instance of Shri Jayanta Kumar Hazra the concerned workman. The case of the workman as it appears from his written statement is that he had worked as a contingent Staff in the Helan Post Office, P. S. Khanakul under the administrative control of the Superintendent of Post Office, North Hooghly Division, Chinsurah, Hooghly (W.B.) from June, 1987 to October, 1994. Thereafter from 22-2-1995 to 25-7-1996 he had worked as an Extra Departmental Delivery Agent in the Tantishal B. O. for 492 days. Break of his work during this period has also been indicated. The engagement of the workman was provisional with an understanding that such provisional appointment shall be terminated when regular appointment is made. But, in order to make room for other he was forced by Shri Naren Adhikari the then Office Superintendent to sign charge report on 30-3-1996 without any order. he made representation on 15-4-1996 to the Superintendent of Post Offices, North Hooghly Division against such illegal action of the Office Superintendent and he was reengaged as an Extra Departmental Delivery Agent in the said Tantishal B.O. w.e.f. 27-4-1996. Thereafter the workman moved an application being O.A. No. 912 of 1996 before the Central Administrative Tribunal, Kolkata Bench and the said Tribunal by way of interim measure passed an interim order of injunction restraining the management from retrenching the workman. Management, however, discharged the workman from duties on 27-7-1996 without any order or without any regular appointment to the post. The Administrative Tribunal by order dated 10-11-2000 dismissed the said O.A. on the ground that the reliefs sought for by the workman relates to the provisions of Industrial Disputes Act, 1947, hereinafter to be referred as the Act and the said Tribunal had no jurisdiction to hear the case and the workman was directed to move the appropriate forum under the Act. The workman, thereafter, moved the Regional Labour Commissioner (Central), Kolkata and conciliation proceedings were held which ended in failure and ultimately the present reference has been made for adjudication of the dispute under reference. According to the workman Post Office is an industry and its employees are workmen under the Act and the termination of his service was without following the provisions of Section 25F of the Act which is mala fide, illegal and bad in law. The workman before his termination is said to have acquired the status of provisionally appointed Extra Departmental Agent and that too for more than a year and as such termination is challenged to be illegal and bad in law it was made without following the provisions of the Service Rules for Postal E.D. Staff. According to the workman though termination of his service is ex facie illegal and bad in law, but as at present there is age-bar to reinstate the workman as Extra Departmental Delivery Agent, he is entitled to get an amount of Rs. 10,27,640/- viz. total pay from July, 1996 till attaining the age of 65 years, i.e., December, 2031; lumpsum

payment as service amount; compensation for mental sufferings and loss of health and litigation cost.

3. The management has also filed a written statement denying the claims and contentions of the workman as made in his written statement. It has challenged the maintainability of the claim of the workman and also authority and jurisdiction of the Tribunal to entertain the same as the dispute between the parties is not covered under the Act. On merit the case of the management is that a post of Extra Departmental Delivery Agent (New GDS mail delivery) of Tantishal Branch Post Office fell vacant with effect from 24-1-1995 and SDI (P), Chinsurah West, sub-divisional appointing authority to post of EDDA (GDSMO) sought for approval for selection from the authority. On receipt of approval he made selection amongst Employment Exchange sponsored candidates in which the concerned workman was also one of them. During the interim period the concerned workman was engaged provisionally in the post of EDDA (GOSMD) on purely temporary basis with a view to avoid dislocation of postal service. After selection the concerned workman was asked to handover charge to the regularly selected candidates but instead of handing over charge, he filed a case before the Central Administrative Tribunal, Kolkata. The said application was moved as an enlisted motion on 25-7-1996 without notice to the management and an ex parte order was passed to the effect that the workman shall not be relieved from the post unless he has already been released except by a regular appointee. Incidentally the selected candidate Shri Biswajit Roy also took charge of the post on 25-7-1996 afternoon. The Central Administrative Tribunal, Kolkata by order dated 10-11-2000 held that the workman may seek for appropriate relief in the appropriate forum in this regard. It is stated that the workman might have served as contingent paid staff Helen P.O. from November, 1991 upto a certain period but no record was kept at the controlling office as the sub-Post Master, Helen P.O. engaged the person for the purpose. The said contingent paid person as part-time water carrier worked for a period of half an hour daily. It is further stated that the Act has got no application in the Department of Post as per judgment of the Hon'ble Supreme Court of India dated 2nd January, 1996 in Civil Appeal No. 3385-86 of 1996 arising out of SLP (C) No. 587-588 of 1992. It is also stated that stop gap arrangement was made on provisional basis for certain period and as regular selection process is completed, provisionally appointed person has to quit the job as per terms and conditions of his provisional appointment. As the concerned workman accepted the said condition he should have quit the job upon regular appointment so made. According to the management Department of Posts is not an industry and the Act has got no application in any matter relating to it. The management has denied the claims and contentions of the concerned workman as made

in his written statement in seriatim. It is prayed that the reference be dismissed with cost.

4. A rejoinder is also filed by the workman concerned denying the statements of the management in its written statement and also reiterating his own statements as already made in his written statement.

5. Both the parties have examined witness each in support of their respective case. Jayanta Kumar Hazra the concerned workman has examined himself as his sole witness in the case. He has stated in his evidence that as a substitute he was working at Helan Post Office in the district of Hooghly from 1987 to 25-1-1995. Thereafter from 22-2-1995 to 25-7-1996 he worked at Tantishal Post Office under the order of the Inspector of Posts, Chinsurah, West. He was told by the Branch Post Master that somebody was going to be recruited in place of the workman and he was to be terminated. Nobody has taken charge from the workman till date. He moved the Central Administrative Tribunal for necessary relief and the said Tribunal passed an order on 25-7-1995, a copy which he served upon the management on 27-7-1996. On 10-11-2000, Case No. OA 912 of 1996 was disposed of and he raised the present industrial dispute which culminated in the present reference. He did not receive any letter of dismissal and he did not also handover charge. He made representation from time to time to allow him work in the Post Office. He also approached the management for settlement during conciliation proceedings. According to him he was thrown out of employment illegally. In cross-examination the workman has stated that he was appointed by appointment letter, Ext. W-3 after he had accepted the terms and conditions mentioned therein. The post on which he was working temporarily a notice of regular appointment for the same was published and he also applied against the advertisement. He was called for interview along with other candidates. Thereafter selection was made and the selected candidate also joint, but he was terminated without any notice. He moved the Central Administrative Tribunal which issued an order of injunction, but he did not receive any order either from the said Tribunal or the Hon'ble High Court for joining.

6. MW-1, Subrata Kumar Das is the sole witness for the management. He knew the concerned workman. He has stated in his evidence that by application, Ext. M-1 the workman applied for the post of contingent staff. His condition of service was that he was supposed to work for some hours for which he would get fixed wages. He has also stated that the condition of service of the workman is mentioned in the appointment letter, Ext. M-2. He has further stated that appointment in regular post has already been made and he joined the post, but the witness cannot tell his name. In cross-examination the witness has stated that he has no personal knowledge about this case. He could not say for how many days the concerned workman

had worked in the Post Office. He could not also say the exact date when he was posted at Tantishal Post Office, but stated it was in 1995-1996. It is stated by him that sub-divisional Inspector is the appointing authority of the E.D. in this case and the service conditions of the E.D. Staff are governed by the Service Rules made for E.D. Staff.

7. Certain documents have also been exhibited on behalf of both the parties. The documents exhibited on behalf of the workman are Ext. W-1, interim order of the Central Administrative Tribunal dated 25-7-1996; Ext. W-2 the order dated 10-11-2000 passed by the said Tribunal; Ext. W-3 the letter of appointment dated 20-2-1995 of the concerned workman; Ext. W-4 the representation of the workman dated 15-4-1996 and Ext. W-5 is the charge report dated 27-4-1996 whereby the concerned workman handed over charge.

On the other hand, documents exhibited on behalf of the management are Ext. M-1, an application of the concerned workman dated 13-12-1995 for appointment to the post of E.D.D.A., Tantishal; Ext. M-2 is the provisional appointment letter of the concerned workman to the said post; Ext. M-3 the application of the concerned workman being OA No. 912 of 1996 filed before the Central Administrative Tribunal, Kolkata Bench; Ext. M-4 is the order dated 25-7-1996 passed by the said Tribunal in the said matter; Ext. M-5; an order dated 12-3-1999 passed by the said Tribunal in the said matter in connection with CPC-52 of 1997; Ext. M-6, another order dated 7-1-1999 passed by the said Tribunal in the said matter in connection with MA No. 81 of 1998; Ext. M-7, another order dated 18-11-2000 passed by the said Tribunal in OA No. 912 of 1996 and Ext. M-8 a circular letter of the Department dated 3-7-1989 enclosing therewith the copy of the order of the Hon'ble Supreme Court dated 2-2-1996 passed in Civil Appeal Nos. 3385-86 and others of 1996 arising out of SLP (C) Nos. 587-588 of 1992 and others.

8. I have considered the aforesaid facts and evidence led by the either side regarding the claim of the concerned workman whose services are said to have been terminated with effect from 27th July, 1996. According to the workman he had admittedly so worked as an Extra Departmental Delivery Agent from 22-2-1995 to 25-7-1996, i.e., for more than 240 days with some break therein. This engagement was provisional with the understanding that such provisional appointment shall be terminated when a regular appointment is so made in the Post Office later on. The workman in this connection had also raised a dispute before the Central Administrative Tribunal but the said Tribunal by its order dated 10-11-2000 had dismissed the said application on the ground that the reliefs sought for by the workman relates to the provisions of Section 25F of the Industrial Disputes Act, 1947 and the said Tribunal had no jurisdiction to hear the case of the workman and he was directed to move the appropriate forum as so provided

to him for this purpose to get a relief from the concerned court under the provisions of the concerned Act. According to the workman Post Office is an industry and its employees are workmen and the termination of his service was in violation of the provisions of Section 25F of the Act and therefore the order of termination passed by it is quite illegal and void. It is further submitted by him that it contravenes the provisions of Services Rules of Postal E. D. Staff as well. It has also been submitted that since at present there is an age bar to reinstate the workman as E. D. Agent he may therefore be held entitled to get the amount of Rs. 10,27,640/- which is the total amount so payable to him in law for that, i.e., from July, 1996 till his attaining the age of 65 years as compensation on account of the said illegal order of termination that was so passed against him by the management in this connection.

9. Management, however, has challenged the claim and contentions of the workman by submitting that the reference itself is not legally so maintainable about any such claim of the workman as set up by him before this Tribunal and it has got no jurisdiction to entertain any such dispute referred to as such between the parties by the Central Government as an industrial dispute as it is not covered under the provisions Industrial Disputes Act, 1947 in this regard. The management for this has also referred to a decision of the Hon'ble Apex Court in Civil Appeal No. 3385-86 of 1996 arising out of SLP (C) No. 587-588 of 1992 wherein it was so observed that service Rules as provided in E.D. Conduct and Services Rules that are so applicable to the Extra Departmental Employees itself provide about the various provisions for termination of their service etc. as so contained therein for this purpose. The provisions of Rule 6 of that Rule particularly that so deals with the power of termination which requires to be so complied with before making any such order of termination of Services of the E.D. Agents in this regard. It also provides about the rules of the recruitment for the post of Postman as well for this purpose and as such the method of recruitment, the conditions of service, the scale of pay and conduct rules regulating the service conditions of E.D. Agents are all provided therein and all these statutory regulations are framed by the Department concerned for this purpose. The Hon'ble Apex Court as such has clearly held therein about the legal position applicable and it is now well settled that these employees are held to be the civil servants and so regulated by all these conduct rules and therefore by necessary implication they do not belong to the category of workman attracting the provisions of the Industrial Disputes Act in this regard. With this legal position the Hon'ble Apex Court also observed that the extra Departmental Agent as such always remained to be an ad hoc employee and were only entitled to be so governed by Rule 6 about termination of their services etc., i.e., payment to them viz. one month's allowance plus D.A. as per the provisions of the said rules

that will be so applicable to them in this connection as so provided therein. The management has also filed the departmental instructions relying upon the said decision of the Hon'ble Apex Court in this connection vide Ext. M-8 and it has been also argued by the learned Advocate for the management that this Tribunal has got no jurisdiction to entertain any such matter regarding the dispute as it is being raised by the workman as he is not a workman as it has been so defined under Section 2(s) of the Act that only provide a relief to a workman as it has been so defined therein under the provisions of Section 2(s) of the Industrial Dispute Act in this regard. It has also been argued by him that apart from that on merits to the workman has got no right to make any such claim as he was only appointed provisionally and also he could not be selected when a proper test was held for this purpose as he too had so appeared therein but he failed and he could not pass the test. Also that another person had been so selected and he has also now joined there and therefore on merits too the workman concerned has got no such right and any claim to be so allowed in his favour.

10. In view of the aforesaid facts and circumstances and submissions made by the learned Counsel for the parties it is evident that the right and status of the workman, who admittedly had so worked as E.D. Delivery Agent in the Post Office are clearly so governed by the E.D.A. Conduct and Service Rules as framed for this purpose. The Hon'ble Apex Court has also so observed about it by saying that they do not belong to the category of workman so as to attract the provisions of the Industrial Dispute Act as the Department of Posts cannot be said to be an Industry as so defined under Section 2(j) of the Act for the same. The remedy of the workman lies under the provisions of the said rules and particularly as provided under Rule 6 from the concerned forum and not by this Tribunal through this reference.

11. In view of the above facts and circumstances the plea as so raised on behalf of the management about the non-maintainability of this reference before this Tribunal has got force and it deserves to be allowed. The reference is accordingly held to be not legally maintainable as the Tribunal has got no jurisdiction to entertain it and it deserves to be rejected. In view of all these the question of deciding the reference on merits about the claim of the workman in the above circumstances does not arise and the reference as such is rejected accordingly.

C. P. MISHRA, Presiding Officer

Dated, Kolkata,
The 25th March, 2009

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन म्यूजियम के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या सं.-11/2000) को प्रकाशित करती है, जो, केन्द्रीय सरकार को 1-4-2009 को प्राप्त हुआ था।

[सं. एल-42012/188/1999-आईआर (डोयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1100.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.11/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Museum, and their workman, which was received by the Central Government on 1-4-2009.

[No. L-42012/188/1999-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 11 of 2000

Parties : Employers in relation to the management of
The Director, Indian Museum

AND

Their workmen

Present : Mr. Justice C. P. MishraPresiding Officer

APPEARANCE

On behalf of the : Mr. S. K. Karmakar, Advocate .
Management

On behalf of the : Mr. D. K. Sengupta, Advocate with
Workmen : Mrs. S. Banerjee, Advocate.

State : West Bengal Industry : Museum

Dated, the 26th March, 2009.

AWARD

By order No. L-42012/188/1999-IR(DU) dated 27-1-2000 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Director, Indian Museum, Calcutta in terminating the services of 13 workmen as per attached list w.e.f. 23-7-97 is legal and justified? If not, to what relief the concerned workmen are entitled?"

LIST OF WORKMEN

1. Prantik Roy.
2. Barun Seth.
3. Raju Charkaborty.
4. Arjun Sarkar.
5. Panchi Balmiki.
6. Basudeb Das.
7. Tarun Chandra Das.
8. Biswajit Bar.
9. Susit Mondal.
10. Samir Kumar Ghosh.
11. Dipankar Biswas.
12. Chandana Pandey.
13. Kamal Das.

2. When the case is called out today, learned Advocates for both the parties state that the dispute under reference has been settled between the parties amicable out of court and file a Joint Petition of Compromise in this reference. They pray for an Award in terms of the said joint Petition of Compromise.

3. I have considered the joint petition of compromise. The terms of settlement as mentioned in the joint petition of compromise appears to be fair, reasonable and in the interest of the parties. I accept the same and pass an Award in terms of the said joint petition of compromise, which forms part of this Award as Annexure-A.

This is my Award.

C. P. MISHRA, Presiding Officer

Dated, Kolkata,
The 25th March, 2009

ANNEXURE-A

**BEFORE THE HON'BLE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL WEST BENGAL,
KOLKATA**

Reference No. 11 of 2000

In the Matter of : Government of India Order of
Reference

No. L-42012/188/1999/IR (DU) Dated 27th January, 2000,

AND

In the Matter of : An alleged Industrial Dispute

BETWEEN

Employer in relation to Indian Museum

AND

Their alleged Workmen—Shri Prantik Roy and Others;

The humble joint petition of compromise on behalf of parties above named—

Most Respectfully Sheweth :

1. That the above matter is pending before Your Honour
2. That the above matter has been settled by and between the parties on the following terms and conditions :
 - (i) It is agreed that the system of engagement of Muster Roll workers have been discontinued vide office order No. T. O. No. 45 (97-98) dated 23rd July, 1997.
 - (ii) That Sri Prantik Roy and others whose names have been mentioned in the order of reference have agreed to take employment under the agency or the contractor who have undertaken the job of casual nature in Indian Museum on the terms and conditions stipulated, by and between the Indian Museum and the Agency or contractor;
 - (iii) The terms and conditions of such employment with the said agency shall be decided by the said agency. The Indian Museum will have no role to regulate the terms and conditions of their employment in the said agency;
 - (iv) The statutory liabilities during the period of employment of those employees under the said agency shall be discharged by the said agency/contractor and Indian museum shall in no way responsible with regard to those liabilities under any circumstances;
 - (v) It is agreed that Sri Prantik Roy and others shall not make any claim to the Indian Museum either for their absorption in Indian Museum or regularization of any kind of employment with the Indian Museum at a later stage Unless they qualify in conformity with Recruitment Rules of Indian Museum.
 - (vi) Shri Prantik Roy and others have agreed that they shall not make any claim for reinstatements prayed before the Tribunal or reemployment or any kind of employment with the Indian Museum nor will they prefer any claim in any form with regard to the alleged dispute referred to the Hon'ble Tribunal, monetary or otherwise;
 - (vii) Shri Prantik Roy and others have agreed that there shall not subsist any employer employee relationship between the Indian

Museum and Shri Prantik Roy and others whose names have been referred in the order of reference;

3. In view of the terms of settlement arrived at in clause (i) to (vii) all the disputes and demands arising out of the instant order of reference stands settled fully and finally. No other amount statutory or otherwise, is due and payable by the Indian Museum to Shri Prantik Roy and others. Nor can any claim be preferred by them in any Court of Law or Authority or Tribunal or forum either for any amount or otherwise pertaining to the issues involved in the order of reference;

This settles all the disputes and demands, fully and finally.

It is, therefore, humbly prayed that your Lordship may be graciously pleased to dispose of the order of reference in view of the settlement arrived at as above and pass an order or award or any other order or orders as the Hon'ble Tribunal may deem fit and proper;

And for this act of kindness Your petitioner as in duty bound shall ever pray.

For Indian Museum
Director
Indian Museum
Kolkata

Workmen

1. Prantik Roy
2. Sd/- Illegible
3. Raju Chakravorty
4. Sd/- Illegible
5. Sd/- Illegible
6. Tarun Chandra Dev
7. Sd/- Illegible
8. Samir Kumar Ghosh
9. Deepankar Biswas
10. Chandana Panday

**BEFORE THE HON'BLE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL WEST BENGAL, KOLKATA**

In the Matter of : Employer in relation to Indian
Museum

AND

Their alleged Workmen—Shri Prantik Roy and Others

Memorandum of settlement

TP 2 Museum-Workmen Memorandum settle

नई दिल्ली, 1 अप्रैल, 2009

का.आ. 1101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में; केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गोदावरीखानी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-4-2009 को प्राप्त हुआ था।

[सं. एल-40025/10/2009-आईआर(डीयू)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 1st April, 2009

S.O. 1101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Godavarikhani as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 1-4-2009.

[No. L-40025/10/2009-IR(DU)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, GODAVARIKHANI**

Present : Shri M. Shanmugam, B.Com. B.L.
Chairman-cum-Presiding Officer.

Thursday, the 26th day of February, 2009

Industrial Dispute No. 73 of 2005

Between

Chittapuram Narsu Bai, W/o. Ganganarsaiah,
Aged 42 years, Sweeper,
Post & Village : Rudrangi,
Mdl. Chandurthy, Distt. Karimangar-504346. —Petitioner
AND

The Divisional Engineer,
Telecom, Telephone Exchange, BSNL,
Post : Jagtial, Distt. Karimnagar. —Respondent

This Industrial Dispute petition U/Sec. 2-A (2) of the I.D. Act, coming on before me for final hearing on 19-2-2009, upon perusing all the documents on record and upon hearing the arguments of U/Rule 24 of AP ID Rules, as both sides and their counsels absent, not attending the Court their desire of attending the court must subserve to the larger interest of administration of justice, both sides best reasons known to them, refuses, avoided and neglects to attend and participate and co-operate for disposal without good reasons or justification, having stood over for consideration till this date, the court passed the following:—

AWARD

1. This petition is filed U/Sec. 2-A (2) of I.D. Act, the petitioner, Ex-Sweeper prays this Court to set aside the illegal termination from service order and direct the respondent to reinstate the petitioner into service with continuity of service, together with all attendant benefits and with full back wages or pass any such other order/orders as the Court may deem fit and proper in the circumstances of the case.

2. The averments of the petition filed by the petitioner are as follows :—

The petitioner submits that she was appointed as Sweeper on 1-9-1981 and posted to telephone exchange, Rudrangi vide Sub-Divisional Officer, Telecommunications, Jagtial-505327 (and at present this post was up-graded as Divisional Engineer, Telecom., Telephone Exchange, BSNL, Jagtial) vide order No. 2.2-7/RDG/5, dt. 20-7-1983 and it was sanctioned vide Divisional Engineer, Telecom, Karimnagar vide No. E-2-14/82/37, dt. 22-6-1983. That the petitioner has worked for 9 years continuously and she is a regular employee as per the ID Act. That in 1990 the Naxalites have burnt the telephone exchange of Rudrangi. That after burnt of telephone exchange all the staff were shifted to other places and the petitioner was not shifted. That she is an illiterate, post of Sweeper and not known the rules even filing of petition before the court, has wandered around the telecom, offices and met the respondent No. of times but not taken to duty at any where. That on frequent enquiry, the respondent orally informed that her services were terminated from service. That she is a regular employee worked above 9 years continuously, no disciplinary action was pending upon her termination and she has not received any paper/termination proceedings from the respondent. Hence, the oral termination stated is illegal and baseless. Hence, the petition for consideration.

3. That she is an illiterate lady sweeper and not known anything except to do the works entrusted by the respondent. The Sub-Divisional Officer, Jagtial has appointed her w.e.f. 1-9-1981 as Sweeper issued appointment order and to pay the monthly wages of Rs. 38.40 PM gradually her pay was increased. That she had rendered her services for the period from 1-9-1981 to October, 1990 i.e., above 9 years continuously without any stop gap. That in January, 1990 CPI (ML) Naxalites have burnt the telephone exchange of Rudrangi. That after burnt of exchange the respondent had shifted all the staff to other stations and no action was taken in the case of petitioner. That till date the respondent had not made repairs to the burnt exchange, not restored its services, kept it pending along with the case of petitioner and orally

given assurance to restore the services of burnt exchange and also to continue her services.

4. That the respondent had not issued any termination order/notice, not paid any compensation and not taking her duty as well as not paying the salary which is violation of Section 25-F, 25-FF, 25-FFA, 25-FFF and 25-G of I.D. Act, 1947. Further the petitioner submits that she a workman within the meaning of Sec.2(s) of ID Act and the respondent's department is an industry as declared by the Hon'ble Supremet Court. The respondent has not complied any mandatory provisions laid down U/Sec.25-F, G, H, and N, etc., of ID Act which prescribes certain conditions to be followed before retrenching a workman as per the law. The action of the respondent is quite contrary to the law, provisions of ID Act and against the principles of natural justice. That the petitioner has already completed the requisite 240 days in a year as per the Sec.25-B of ID Act, 1947 in the year, 1982 itself and deemed to have been a regular employee to telecom department. That after burnt of exchange the petitioner has approached the respondent number of times, requested to take her to duty or to shift any where but no response stating that the exchange will be restored at an early date.

5. That the respondent has not issued any charge sheet if any disciplinary action is pending against her, not conducted any enquiry, not issued any kind of notice as per the ID Act provisions and orally informing as terminated from service and troubling to take the petitioner to duty. In view of long period passed, the informing of oral termination may kindly be taken into account, which attracts the provisions of Sec.2 (A) of ID Act, therefore requested to admit the case. That the telecom department declared as Industry comes under the Jurisdiction of Labour Court as settled by Hon'ble Supreme Court. That a copy of appointment letter issued by Sub-Divisional Officer, Telecom., Jagtial is submitted herewith for the reference of the court and to admit the case, as the petitioner has lost the original order. That the petitioner and respondent both are in Karimnagar District and the Labour Court, Godavarikhani is having jurisdiction to try the case.

6. That the nature of work extracted by the respondent is permanent nature. That if the telecom department taken the plea of contract labour in case of petitioner, the Central Government U/S.10(1) (S.O. No. 776(E), dt. 9-12-1976 published at page 2185 of Gazette of India, Pt.II Sec. 3(ii) extraordinary, dt. 9-12-1976) has published that: "in exercise of the powers conferred by sub-section (i) of Sec. 10 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) the Central Government after consultation with the Central Advisory Contract Labour on and from the 1st March,

1977 for sweeping, cleaning, dusting and watching of buildings owned or occupied by establishment in respect of which the appropriate Government under the said Act is the Central Government". That the telephone exchange is located in a four walls building and purely Central Government Industry and contract sweepers are prohibited in it as per the above provisions/publication by the Central Government.

7. In regard to the delay the petitioner submits that she is purely an illiterate lady and her husband also an illiterate, not known anything except doing labour work/any work entrusted by the respondent. That she/her husband is a purely rural living persons, suffering with poverty believed the assurance of respondent, not known rules/approaching courts suffered with ill-health for some time as such the delay was taken place, may kindly be condoned and to do justice as she worked for more than 9 years continuously without any stop-gap. That she is a poor woman at present she is idle. That due to oral termination from service she became as unemployed and at present she and her children are suffering for food as her husband also not doing any work, as no works in the rural village. That she is at the age of 42 years and no other source of getting any employment at anywhere at this overage.

8. That she has arranged to issue legal notice with the counsel but the respondent has not replied. That she has not filed petition at anywhere, at present no petition is pending at anywhere and this is 1st petition. The court is having jurisdiction to try the case as the petitioner/respondent both are under the jurisdiction of this court. The petitioners prays this Court to set aside the illegal termination from service order and direct the respondent to reinstate the petitioner into service with continuity of service, together with all attendant benefits and with full back wages or pass any such other order/orders as the court may deem fit and proper in the circumstances of the case.

9. The averments of the counter filed by the respondent are as follows :—

It is submitted that in reply to para No. 2 of the petition, the allegation of petitioner that she was appointed as a Sweeper on 1-9-1981 and posted to telephone exchange, Rudrangi vide Sub-Divisional Officer, Telecommunications, Jagtial, vide order No. 2.2-7/RDG/5, dt. 20-7-1983 and it was sanctioned vide Divisional Engineer, Telecom., Karimnagar vide No. E2-14/82-83-37, dt. 22-6-1983 is wrong and denied and that the petitioner has worked for 9 years continuously and she is a regular employee as for ID Act is wrong and denied, that in 1990 the Naxalites have burnt the telephone exchange of Rudrangi, and after burnt of telephone exchange all the

staff were shifted to other places is true, and the petitioner was not transferred as she was illiterate, post of Sweeper and not known the rules even filing of petition before this court, has wandered around the telecommunication offices and met the respondent no. of times but not taken to duty at anywhere, that on frequent enquiry, the respondent orally informed that her services were terminated from service and she was a regular employee worked above 9 years continuously, no disciplinary action was pending upto her termination and she was not received any paper/termination proceedings from the respondent is wrong and denied, because the petitioner never worked in department at any period.

10. In reply to para No. 3 of the petition the allegation of the petitioner that she is an illiterate lady sweeper and not known anything except to do the works entrusted by the respondent, the Sub-Divisional Officer, Jagtial has appointed her from 1-9-1981 as Sweeper, issued appointment order to pay the monthly wages of Rs. 38.40 p.m., gradually the pay was increased that she had rendered her services for period 1-9-1981 to October, 1990, above 9 years continuously without any staff gap is wrong and denied, that in January, 1990, the CPI(ML) naxalites have burnt the telephone exchange of Rudrangi. That after burnt of exchange the respondent had shifted all the staff to other stations and no action was taken in the case of petitioner that till date the respondent had not made repairs to the burnt exchange not restored its services, kept it pending along with the case of petitioner and orally given assurances to restore the services of burnt exchange and also to continue her services is wrong and denied.

11. In reply to para No. 4 the petitioner submits that the respondent had not issued any termination order/notice, not paid any compensation not taking her to duty as well as not paying the salary which is violation of Sections 25-F, 25-FF, 25-FFA, 25-G of I.D. Act, 1947 is wrong and denied, further the petitioner submits that she has worked within the meaning of Section 2(A) of I.D. Act and the respondent's department is an industry as declared by the Hon'ble Supreme Court and the respondent has not complied any mandatory provisions laid down under Sec. 25-F, G, H and N etc., of I.D. Act which prescribes certain condition to be followed before retrenching a workman as for the law, the action of the respondent is quite contrary to the law, is wrong and denied.

12. In reply to para No. 5 the petitioner submits that she has already completed the requisite 240 days in a year as per the Sec. 25-B of I.D. Act, 1947 in the year 1982 itself and deemed to have been a regular employee of telecom department is wrong and denied and that after burnt of

exchange the petitioner has approached the respondent number of times requested to take her to duty or to shift anywhere but no response stating that the exchange will be restored at an early date is wrong and denied. In reply to para No.6 that the petitioner submits that the respondent has not issued any chargesheet if any disciplinary action is pending against her not conducted any enquiry not issued any kind of notice as per the I.D. Act provisions and orally informing as terminated from service and troubling to take the petitioner to duty. In view of long period passed, the informed of oral termination may kindly be taken into account, which attracts the provisions of Sec.2(A) of I.D. Act is wrong and denied.

13. In reply to para No.7 that the petitioner submits that the nature of work extracted by the respondent is permanent nature is wrong and denied. In reply to para No.8 that the petitioner submits that the delay was caused due to she is illiterate lady and her husband also an illiterate not known anything except doing labour work is wrong and there is no need to condone delay. In reply to para Nos. 9 & 10 that the petitioner has arranged to issue legal notice with her counsel but the respondent has not replied is wrong and denied. That the petitioner was never appointed as Sweeper at Rudrangi telephone exchange nor anywhere as such there is no question of transferring her from Rudrangi or continuing her services in department is not possible. In view of the above facts and discussions in above paras the I.D. not maintainable under provisions of I.D. Act and there is no appointment, removal and dismissal issued by the respondent and also filed the petitioner after lapse of 15 years for which no relief should be granted on the merits of the case and the respondent reserves to file additional counter and add another points at the time of argument and also permit to adduce the evidence in support of counter filed by the respondent in accordance with Justice and fair play. It is, therefore, prayed that the court may be pleased to dismiss the petition without granting any relief much less as prayed for.

Heard arguments

14. Petitioner side 3 documents xerox copies are filed (1) Appointment letter in the year 2003, (2) Legal notice issued in the year 2003, (3) Legal notice Ack., filed into the court.

15. On behalf of the respondent side, no documents are filed.

16. Before going into the merits of the case, I would like to submit how this case was delayed. Being aggrieved by the termination in the month of January, 1990, this petition-claim statement was filed on 9-7-2003, U/Sec.2 (A)2 of the I.D. Act, and it was checked and numbered in August, 2005. It was posted by issuing notice

to respondent side through RPAD on 12-9-2005. On the same day respondent filed vakalat. On 28-11-2005 counter filed. On 1-6-2006, Sri Mohd. Afzal, Advocate filed the vakalat, petition U/Sec. 36(4) leave granted as other side consented. On 25-7-2007 Sri Mohd. Afzal, Advocate filed the vakalat, petition U/Sec. 36(4) leave granted as other side consented. On 1-8-2007, petitioner counsel stated that the petition is filed U/Sec. 25-F termination, there is no need to frame preliminary issues and requested the court to post the matter for final hearing. Hence posted for final hearing. Posted for petitioner side evidence, petitioner not turned-up. On 24-7-2008 counsel for the petitioner requested he withdrawn the vakalat on behalf of the petitioner, in view of his appointment as Asst. Govt. Pleader in this court. On 6-11-2008, 21 adjournments granted, petitioner absent no representation, hence the court has treated as no evidence on petitioner side. Posted for respondent side evidence on 13-11-2008. On 11-12-2008, respondent side also, respondent and his counsel not attended the court and to co-operate to let in evidence, hence respondent side no evidence as not let in evidence, posted for arguments. On 19-2-2009 both the sides no representation, both the parties and their counsel best reasons known to them, refuses, avoided, neglects to attend and participate and co-operate for arguments with reasons or justification. Hence, this court has no other go except to follow the procedures U/Rule 24 of AP I.D. rules in deciding the case on merits as per the material available on record and posted for award.

17. As per the claim statement averments filed into the court are as follows: The petitioner was appointed as Sweeper in the year 1981 and rendered service upto October, 1990. In the year 1990, the telephone exchange was burnt by the Naxalites, the respondent shifted all the staff to the other station and no action was taken in the case of the petitioner. The respondent has not issued any termination order notice not paid any compensation and not taking the petitioner into duty as well as not paying the salary which is violation of Sec. 25-F, 25-FF, 25-FFA, 25-FFF and 25-G of I.D. Act, 1947. Respondent has not complied any mandatory provisions laid down U/Sec. 25-F, 25-G, 25-N etc., of the ID Act. The petitioner already completed the requisite 240 days in a year as per Sec. 25-B of the ID Act. The petitioner requested to take her to duty by 'setting aside the illegal termination from service order and directing the respondent to reinstate the petitioner into service with continuity of service etc., in the circumstances of the case as deem it proper.

18. From the respondent counter allegations are as follows: The appointment of the petitioner in the respondent department telephone exchange denied and

also petitioner worked for a period of 9 years also denied. It is also denied respondent orally informed that her services were terminated from service. The petitioner completed the requisite 240 days in a year as per the Sec. 25-B of the ID Act is not correct and denied. The respondent counter allegations the ID petition is not maintainable under the provisions of ID Act and there is no appointment, removal and dismissal issued by the respondent and also filed the petition after lapse of 15 years for which no relief should be granted on the merits of the case and urged the court, the petition deserves to be dismissed with costs.

19. Before going to the question relating to the case, I would like to state the following Sections are to be discussed; hence I will state the Sections as follows: Section 2(oo) (bb), Sec. 2(J), Sec. 25-F, Sec. 25-B, Sec. 25-FFF, Sec. 25(O) and Sec. 25-R. Sec. 2(oo) retrenchment means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as the punishment inflicted by way of disciplinary action, but does not include; (a) voluntary retirement of the workman, (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and workman concerned contains a stipulation in that behalf or (bb) termination of the service of the workman as a result of the non renewal of the contract of the employment between the employer and workman concerned on its expiry on or such contract being terminated under a stipulation in that behalf contained therein, or (c) termination of the service of a workman on the ground of continued ill health.

20. Sec. 25-F condition precedent to retrenchment of workman, no workman employed in an industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice as expired or the workman has been paid in lieu of such notice, wages for the period of notice, (a) the workman has been paid at the time of retrenchment compensation which shall be equivalent to 15 days average pay (for every completed year of continuous service) or any part thereof in excess of 6 months, and (b) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the Official Gazette.

21. Sec. 25(B) definition of continuous service (1) workman shall be said to be in continuous service for a period if he is for that period in uninterrupted service including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal or a lock out or cessation of work which is not due to any fault on the part of the workman. (2) where a workman is not in continuous service within

the meaning of clause (1) for a period of one-year or 6 months, she shall be deemed to be in continuous service under an employer (a) for a period of one year if the workman during a period of 12 calendar months preceding the date with a reference to which calculation is to be made as actually worked under the employer not less than (i) 190 days in case of workman employed below ground in a mine and (ii) 240 days in any other case. (b) for a period of 6 months if the workman during a period of 6 calendar months preceding the date with reference to which calculation is to be made has actually worked under the employer for not less than (i) 95 days in the case of workman employed below ground in a mine and (ii) 120 days in other case.

22. Sec. 25FFF compensation to workman in case of closing down of undertakings (1) where an undertaking is closed down for any reason whatsoever every workman who has been in continuous service for not less than one year in that undertaking immediately before such closure shall subject to the provisions of sub-section (2) be entitled to notice and compensation in accordance with the provisions of Sec. 25-F, as if the workman had been retrenched provided that where the undertaking is closed down an account of unavoidable circumstances beyond the control of the employer, the compensation to be paid to the workman under clause (b) of Sec. 25-F shall not exceed his average pay for 3 months.

23. As per the available material on record claim statement and counter and the xerox copies of the appointment order filed by the petitioner into the court. The petitioner side filed the xerox copy, the petitioner not taken step to file the original into the court. At the same time respondent denied the appointment order of the xerox copy filed by the petitioner. The petitioner having burden on her failed to prove that she worked 240 days continuously, when there is no material document filed into the court, it shows she has not worked 240 days U/Sec. 25-B in the respondent department. Before petitioner-workman can complain of retrenchment she has to show that she has been in continuous service for not less than 240 days. But, in this case there is no such evidence and also respondent denied the appointment and termination. No proof of record of salary for wages 240 days or order of appointment or engagement or termination was not produced by the petitioner.

24. From the respondent counter allegations with regard to 15 years delay in referring the ID, to this court, the Labour Court Tribunal exercise its jurisdiction U/Sec. 2-A(2) of ID Act, but such jurisdiction must be exercised judicially. It is trait that the courts and Tribunals having jurisdiction having discretionary powers to grant an appropriate relief to the petitioner-workman. It was submitted on behalf of the respondent that on account of delay of 15 years in raising the dispute by the petitioner was not justified. Merely because the Industrial Disputes had not provided for limitation for raising the dispute it

does not mean that the dispute can be raised at any time and without reasons to the delay and reasons for the delay absent explained. As per the Apex Court judgment the delay of 7 years was held to be fatal and disentitled by the workman to any relief. Although no period of limitation is prescribed for making a dispute, but the facts and circumstances of each case is required to be considered in dealing with stale claims. It may be noted that so far as the delay in seeking the adjudication is concerned, no formula of universal application can be laid down. It would be depend on facts of each individual case. The public policy manifested in Industrial legislation is to achieve the aim of justice and maintain peace. Long dormant claims have often more of cruelty than of justice in themselves and therefore a legal remedy cannot be kept alive for unreasonable period, even if the statute does not provide for any limitation. This I.D., petition filed in the year 2005 U/Sec.2-(A) (2) of ID Act. As there is a delay in each stage and totally there is a 15 long years. The long delay of 15 years no reasons mentioned though pleaded stating that the delay is beyond the control of the petitioner. Except that the petitioner not pleaded specifically the reason beyond her control. The petitioner also not led evidence and not argued so it cannot be accepted for condoning the delay. The reasons stated by the petitioner she is an illiterate rural living suffering with poverty and ill-health the delay was taken place for raising with 15 years delay was ex facie bad and incompetent. It is well settled principle of adjudication that as per the stale claims should not generally be encouraged or allowed unless there is a satisfactory explanation for the delay of 15 years. On the other hand it is necessary also to take into account the unsettling effect that is likely to have on the employers management financial problem. I am of the view this court held that this power has to be exercised reasonably and in a rational manner and if there is no rational basis to refer the dispute to this court after long delay of 15 years, it would be justified in rejecting the petition of the dispute as bad in law on the ground of long delay of 15 years. The reasons mentioned is only a general, vague without any basis and it cannot be accepted because petitioner did not led evidence to explain the delay, so it cannot be accepted. In this case the petitioner has not made any exceptional circumstances to knock the door of the concerned authorities without delay and latches on the part of the petitioner. Thus it is clear that the Apex Court is emphatic in saying when the industrial dispute was raised after 7 long years it must be considered that the dispute was not existing. Therefore it has to be held that the delay of 15 years has not been properly explained. I am of the considered view that on surmises and conjunctures and on hypothetical grounds cannot entertain a dispute. But here the petitioner did not given any explanation as to why she slept over for a period of 15 years without raising any Industrial Dispute, it is stale claim. Hence, it can be inferred that there are no bonafides on the part of the petitioner in approaching the court at a belated stage. The proceedings suffer from gross delay of 15 years and latches on the part of the petitioner. In the aforesaid

facts and circumstances the court in equity does not deem it fit and appropriate to entertain the present petition as the same being shows the petitioner had not evincing little interest to pursue the matter effectively. Stale claims should not be entertained by the courts and failure to make out grounds to condone the delay of 15 years in seeking remedy is law is sufficient to oust the petitioner's case.

25. In this case, the respondent in his counter allegations denied all the contentions contended by the petitioner in her claim statement. In this case the burden is on the petitioner to prove her appointment and termination orders, but in this case the petitioner filed the xerox copy and not taken steps for production of originals into court. Further petitioner failed to prove that she had continuously worked for a period of 240 days as a condition precedent U/Sec.25-B. Petitioner also not filed any documents and also not led any evidence to prove that she worked for 240 days in the respondent department. The Petitioner's contention raised in the petition are not acceptable. The petitioner's contention are generally vague, ambiguous, contradictory and invented an afterthought not even prima facie supported by any cogent and reliable evidence. Except the general allegations, the petitioner failed to prove the genuineness of the allegations made in the claim petition. It is well settled that the petitioner who approached the court with false explanation is not entitled to any relief. Having burden on the petitioner to prove his appointment, termination and continuity of service U/Sec.25-B, but failed to do so. Hence, I see there are no reasons to interfere with the order imposed by the respondent as there are no merits and the petitioner fails and the same is liable to be dismissed for want of merits and accordingly the ID petition is dismissed.

26. In the result, the ID petition is liable to be dismissed and is accordingly dismissed. But in the circumstances, no costs.

Typed to my dictation directly by Typist, corrected and pronounced by me in the open court on this, the 26th day of February, 2009.

M. SHANMUGAM, Presiding Officer

Appendix of Evidence

Witnesses examine

For workman :—
-Nil-

For Management :—
-Nil-

Exhibits

For workman :—
-Nil-

For Management :—
-Nil-

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1102.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है)

New Delhi, the 2nd April, 2009

अध्याय-5 और 6 [धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र

शिवगंगे जिला में देवकोट्टे	पेरट्टुकोट्टे
तालुक के कारैकुडी उपनगरों	आदि के अंतर्गत आने वाले राजस्व गाँव.....

[सं. एस-38013/13/2009-एस.एस.1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 2nd April, 2009

S.O. 1102.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:—

Centre	Areas Comprising the revenue villages of
Karaikudi Sub-Urbs Devakottai Taluk, Sivagangai District	Perattukottai

[No. S-38013/13/2009-S.S.1]

S. D. XAVIER, Under Secy.

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1103.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01-05-2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 [44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है] अध्याय-5 और 6 (धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र	बढ़ते हुए निम्नलिखित क्षेत्र/जिला
उत्तमपालयम	तेनी तालुक उत्तमपालयम के राजस्व गाँव
उत्तमपालयम तालुक	उत्तमपालयम दक्षिण, उत्तमपालयम उत्तर, रायप्पनपट्टी मल्लिंगपुरम, कोहिलापुरम, कोंबै पूर्व, कोंबै पश्चिम,
जिला तेनी	तथा हनुमंथन पट्टी

[सं. एस-38013/14/2009-एस.एस.1]

एस. डी. जेवियर, अवर सचिव

S.O. 1103.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:—

Centre	Areas Comprising the following revenue villages of Theni District
Uthamapalayam	Revenue Villages of Uthamapalayam
Uthamapalayam Taluk	(South), Uthamapalayam (North), Taluk, Theni District, Rayappanpatti, Mallangapuram, Kohilapuram, Kombai (East), Kombai (West) and Hanumanthan Patti of Uthamapalayam Taluk of Theni District.

[No. S-38013/14/2009-S.S.1]

S. D. XAVIER, Under Secy.

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1104.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एन. एफ. रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, गुवाहटी के पंचाट (संदर्भ संख्या 4/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2009 को प्राप्त हुआ था।

[सं. एल-41011/33/2006-आई आर (बी 1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1104.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/2007) of Central Government Industrial Tribunal-Cum-Labour Court, Guwahati, as shown in the Annexure, in the industrial dispute between the management of N.F. Railway and their workmen, received by the Central Government on 2-4-2009.

[No. L-41011/33/2006-IR(B-1)]
AJAY KUMAR, Desk Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, GUWAHATI,
ASSAM**

Present : Shri D. K. Deb Roy, M.A., LL.B.,
Presiding Officer.

Ref. Case No. 4/2007

In the matter of an Industrial Dispute between :—
The Management of N. F. Railway, Lumding Assam.

Vs.

Their Workmen Shri G. Boro and 31 others.

APPEARANCES

For the Management : Shri S.N. Choudhury, Railway
Advocate.

For the Workman : Smt. Maya Bora, Advocate.

Date of Award: 27-03-2009

AWARD

1. The present Reference Case has been initiated in pursuance of Government Notification No. L-41011/33/2006-IR(B-I) dtd. 22-03-2007, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), to adjudicate the issue as described in the Schedule.

SCHEDULE

“Whether the action of the management by violating the standing instruction regarding deployment of surplus staff namely Sri G. Boro, Tech. Gr. I and 31 others of N.F. Railway is legal and justified? If not, what relief they are entitled to?”

2. On receipt of the Reference, notices were sent to the parties for appearance. Shri Mridul Kr. Das, General Secretary of Rail Mazdoor Union, N.F. Zone, N.F. Railway, East Maligaon, Guwahati appeared personally representing Shri G. Boro, Technical Grade-I and 31 others of N.F. Railway (hereinafter called as Workmen). The Management was represented by Learned Advocate. Workmen neither appeared personally nor adduced any evidence. The General Secretary of the Union furnished the names of 32 workmen. During the pendency of the proceeding, Mr. Mridul Kr. Das, the General Secretary of the Union submitted a petition dated 11-02-2009 informing this Court that the Workmen are not interested to proceed with the matter and the matter may be dropped. However, he was examined on oath. According to him, he is the General Secretary of the Rail Mazdoor Union, Maligaon, Guwahati-11 representing Shri G. Boro and 31 others (hereinafter called as Workmen). He has furnished the names of 32 Workmen involved in the Reference Case vide his petition dated 25-02-2009. He has further stated that the Workmen are not willing to proceed with the matter and may be dropped.

3. Heard both sides at the bar. Having heard both sides, I do not find any reason to go ahead with the proceeding. As prayed for, by the General Secretary of the Union, the matter stands dropped.

The matter be informed to the Ministry as per Law.

D. K. DEB ROY, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1105.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार रिजर्व बैंक ऑफ़ के इंडिया प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 64/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2009 को प्राप्त हुआ था।

[सं. एल-12011/06/1999-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1105.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No. 64/2000) of Central Government Industrial Tribunal-Cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of Reserve Bank of India and their workmen, received by the Central Government on 2-4-2009.

[No. L-12011/06/1999-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE SHRI A. N. YADAV, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR.**

Case No. CGIT/NGP/64/2000

Date : 17-03-2009

Petitioner : The Secretary, Reserve Bank of India
Employees Association, (Regd. No. NGP/
283) C/o Reserve Bank of India, Nagpur-
440 012.

...Party No. 1

Versus

Respondent : The Chief General Manager, Reserve
Bank of India, Post Box No. 15, Nagpur-
440 001.

...Party No. 2

AWARD

Dated 17-03-09

The Central Government after satisfying the existence of disputes between the Secretary, Reserve Bank of India

Employees Association, Nagpur, Party No. 1 and the Chief General Manager, Reserve Bank of India, Nagpur Party No. 2 referred the same for adjudication to this Tribunal vide its Letter No. L-12011/699-IR [B-I] dt. 17-05-1999 under clause (d) of sub-section(1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule:-

(1) "Whether the action of the Chief General Manager, Reserve Bank of India, Nagpur through its Chief General Manager in withdrawing the computer allowance to DETOs I.G, Deelip Vasant Rao Koushik & other 100 as per list who have not worked on 30-09-95 whereas they after 01-10-95, is legal and justified? If not, to what relief the said workman is entitled and from what date?"

(2) Consequent upon the notice of this Tribunal issued on receipt of above order to it, the petitioner filed their Statement of Claim. According to it the management Reserve Bank of India started automation and computerization of its various activities in phased manner in its departments like Accounts Section, Issue Department, Deposit Accounts and Debt Accounts etc. by installing 30 Data Entry Terminals. It has for those 30 terminals engaged 30 terminal operators and also created a pool of 15 more operators for smooth running of the work even during the leave and absence etc. of the above 30 operators. They were selected after the aptitude test and the interviews. It is also contended that their terms and conditions of the service are determined under the Bank Office Circular, Gen. No. 70/83-84 dt. 31-01-1984 as per Annexure-A appended with the Claim Petition. Further it is also contended that they were selected after eligibility screening test, interview etc. and thus the management has created special class of these employees amongst the class-III cadres. a special pay of Rs. 275 (as revised from time to time) was payable to them prorate basis as per contract of service between the workman and the respondent bank. Similarly their services were non transferable in normal rotation of the bank and thus the arrangement and the work was continuing satisfactorily from 1984.

(3) The Bank without assigning any reason and without giving any notice either to the union or to the concerned workman, decided on 15-7-1995 to withdraw their special pay and allowances to which they are entitled. It has become the service condition of those employees and consequently withdrawal of a special pay and allowances of Data Entry Terminal Operator amounts to a change in the service condition with in the meaning of schedule-4 of Industrial Dispute Act, 1947. Since the management Bank has not followed the legal provision under Section 9-A read with rule 34, Part-V of Industrial Dispute Central Rule, 1957. The arbitrary and unilateral change in service conditions is illegal and void. By this

change two members of the petitioner's union namely S.R. Deo and N.S. Bond are affected. They were getting allowances upto 29-09-1995 and deprived from it w.e.f. 1-10-1995 though they are continued to work on the terminals. Their juniors receive a special pay thus it has created anomaly in their pay.

(4) Further it is also contended that the contention of the management of introducing a change by it was a sequel to the agreement signed by the Bank with the rival union AIRBEA (All India Reserve Bank Employees Association) is a calculated endeavor to mislead. The union has challenged it on two counts that there was no such agreement and it is not binding on the applicant union in the terms of Section 18 (3) of the Industrial Dispute Act as it was not party to it. It is private agreement with the rival union and can not be implemented. By the action of the management the service condition of I.G. Deelip Vasant Rao Koushik & other 100 as per list who has not worked on 30-9-95 terminal operators are affected and making them ridiculous to continue to work without the special pay and allowances. It is the duty of the management to honor their service conditions and according to it the action is illegal. Consequently it has prayed to quash the order of the management Dt. 15-7-1995 and direct it to continue the special pay as earlier.

(5) Management by filing its Written Statement resisted the claim of the petitioner. Having denied all the contentions and the demands in this respect, the management contended that it has started automation and computerization in a phased manner in the department of the Bank. According to it the service conditions of the R.B.I. employees are governed by the condition laid down in Reserve Bank (Staff Regulation, 1948). It was necessary to introduce a computerization considering the development and the globalization of economy with a view to improve the productivity and efficiency. It was opposed by the employees and Trade Union was making difficult to introduce a computerization. In this background in July, 1984 in order to promote the computerization in the Bank, it was considered necessary to grant a special pay by way of functional allowance to the Data Entry Terminal Operators. The special pay was started initially Rs. 40 p.m. and it was revised from time to time and at the relevant time it was Rs. 275 since 1990 the Bank stipulated the condition for recruitment of the Clerks Grade-II/one-Group-II that the selected candidates will have to perform the data entry operations on all the terminals as when require. In order to train the employees on the computer, it was necessary to rotate them after two to three years. Therefore the services of all the Clerks including DETOs are transferable; They are the common cadre employees, legible for promotion to Clerk Grade-I/CNI Grade-I.

(6) The management enter into bi-lateral settlement on 20-7-1994 with All India Reserve Bank Employees Association, a recognized trade union of Class-III employees of Reserve Bank of India with a view to improve the technology which was facilitating the functioning of the bank while discharging the duties effectively and efficiently. The recognized and majority union of the Bank has agreed to withdraw the special pay which was given to the terminal operators. In addition to it the Bank has also discussed the matter with the representative of All India Reserve Bank Employees Association and their representatives also consented in lieu of grant of one advanced increment. Now it is condition of their service, to work on computer terminals; ledger posting machines should be given one advanced increment. It was also considered that those who were getting a special allowance should be continued upto 17-9-95 and there after should be withdrawn in case of posting of new incumbents. Similarly the employees posted after 17-9-95 will not be paid any special pay. In view of grant of one advance, increment upgradation allowance the DETOs are not entitled for the special pay. Finally it has prayed to answer the reference in the negative.

(7) In order to the respective contentions the union has examined the witness S.R. Deo in Case No. 65/2000 and the same evidence was to be read in the present case as agreed by the parties. He has stated vividly what is mentioned in the statement of the claim. However in the cross-examination he admitted that in 1995 one additional increment was given to all the employees working on the computer. He also admits that he is not working since 23-3-2000 as he has been transferred to cash department.

(8) Similar facts are stated by another witness Nilay Band who was operating as DETO. He has admitted that the persons who were working on the computer as DETO. were getting the special allowance. At present he is not working as DETO. He has also admitted that one advance increment was given to all the employees.

(9) On behalf of the management Assistant General Manager is examined he has reproduced the statement of claim of management and remained unshaken in the cross-examination. The crucial points which arise for my consideration are as—(a) whether granting a special pay to DETO and enlisting a panel of the persons for working on the computers will amounting to creation of special cadre of the clerks (b) Whether such special pay would be service condition and consequently its stoppage would amount to change in service conditions?

(10) Firstly lets us see in what circumstances and in what manner the special pay of the DETO has been granted and stopped. Un-disgustedly it was granted in the initial stage of the introducing a computerization in the working of the bank with a view to attract the workers to work on

the computers. In the year 1995 the management made it compulsory to have knowledge of the working on the computer and qualification for recruiting the clerks grade II. All the clerks were expected to work on the computers. It does not remain a special work attracting need of granting special pay. There for the management after granting one increment to all the workers and entering into the settlement with the recognized majority Union of the Clerks, special pay which was earlier granted to the DETO was stopped.

(11) No doubt in the cross-examinations he has stated that special pay is included in salary but it doesn't mean that a workman who has been granted special pay for particular work would be entitled for it despite of the work taken out from his. After all it is paid for particular work like incentives to create the interest and attract the workers, which was necessary in the initial stage. His evidence shows that it was paid to the workman till he works on computers as DETO and it was not affecting the pensionary benefits.

(12) Much has been argued on behalf of the petitioner about the circular dated 15 July, 1995 under which the special pay of the clerks/coin examiners working on the Machines i.e. (Computers) was stopped but I don't think that was wrong in the existing circumstances and settlement.

(13) Now turning to another aspect as to whether it has created special cadre and there is a change of service conditions, the circular dated 31st January 1984 is important to throw a light on it. The circular shows the applications from the Clerks Grade II / coin note examiners were called by the management but the aptitude test was to be taken by the supplier of the equipments i.e. terminals, processors Etc. It means the supplier was explaining as to how computers should be handled while working on it. No doubt the special pay was to be paid but there is nothing to infer that it was payable irrespective whether they work on computers or not. On the contrary the evidence shows that special pay was stopped of the workers who were transferred from the computer section. It seems that the DETO were transferable. The submissions of the petitioner that their post was non transferable can be accepted because the form itself indicates that they were asked to give bonds for not asking transfer for at least 2 years. It means their posts were transferable by the management or on their requests. There is nothing to conclude that special cadre was created and there is any change in service conditions attracting the Provisions of Sec. 9 (a) of I.D. Act. In the result there is neither formation of new cadre nor in change in the service condition. Consequently the petitioner is not entitled to any relief as claim by it. Hence I answer the reference in negative in this Award.

Dated 17-03-09

A. N. YADAV, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

क्र.आ. 1106.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण गुवाहाटी के पंचाट (संदर्भ संख्या 3/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02-4-2009 को प्राप्त हुआ था।

[सं. एल-12012/160/2006-आई.आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1106.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 3/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati, as shown in the Annexure in the Industrial Dispute between the management of State Bank of India, and their workmen, received by the Central Government on 02-4-2009.

[No. L-12012/160/2006-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, GUWAHATI,
ASSAM**

Present : Shri D. K. Deb Roy, M.A., LL.B.,
Presiding officer.

Ref : Case No. 3 of 2007

In the matter of an Industrial Dispute between:—

The Management of State Bank of India, Jorhat.

Vrs.

Their workman Sri Tilak Ch. Mahanta.

APPEARANCES

For the Workman : Sri M. Agarwala, Circle President,
S.B.I. Staff Association, NE Circle

For the Management : Sri A. Das Gupta, Advocate

Date of Award : 16-03-09

AWARD

1. The present reference is arising out of the Government Notification vide Memo No. L-12012/160/2006-IR(B-I) dated 23-02-2007, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of

Section 10 of the Industrial disputes Act, 1947, for adjudication of the issue as described in the scheduled.

SCHEDULE

"Whether the action of the management of State Bank of India in awarding the punishment of stoppage of 2 increments with cumulative effect and not treating the period of suspension from 24-6-94 to 12-10-99 as duty period in respect of Shri Tilak Ch. Mahanta is legal and justified? If not, to what relief he is entitled?"

2. Notice was duly served upon the parties and accordingly they appeared before this Tribunal. In order to ensure fairness and transparencies, both the parties were asked to submit W.S., if any, accordingly they were asked to adduce evidence in support of their respective claims.

3. Both the parties also submitted plethora of documents to substantiate their claims. At the out set, I feel it apposite to narrate the case of the workman in brief.

Sri Tilak Ch. Mahanta (herein called the workman) was posted at Nazira Town Branch of the State Bank of India, prior to the year 1999. Thereafter, the workman was transferred and posted at Jang Branch of the State Bank of India in the State of Arunachal Pradesh. While the workman was in service at Nazira Town Branch, Mr. Mahanta was issued a charge sheet vide Memo. No. DPS/97-98/93 dated August 6th 1997, by the Assistant General Manager, Region (I) of the Bank, under whose control, Mr. Mahanta was working who happened to be the disciplinary authority at the relevant point of time for certain irregularities. Thereafter, the workman was placed under suspension with effect from 24-6-1994. The Disciplinary Authority charge sheeted Mr. Mahanta levelling some allegations against him. Thereafter, departmental enquiry was initiated and on conclusion, the enquiry officer submitted his report on 29-5-1998 imposing penalty of stoppage of 5 increments with cumulative effect and the period of suspension not to be treated as on duty. Being aggrieved the workman preferred an appeal before the Appellate Authority vide letter dated 24-2-99 and the Appellate Authority having considered the entirety of the facts and circumstances, imposed the penalty to the extent of stoppage of four increments with cumulative effect. However, the view expressed by the enquiry officer in regard to the period of suspension was affirmed by the appellate authority.

4. Being highly aggrieved, the workman approached the Hon'ble High Court challenging the punishment imposed upon him. The Hon'ble High Court vide order dated 27-6-03 in W.P. (C) No. 3997/1999, remitted the matter to the Management of the State Bank of India to reconsider the matter afresh and to take the appropriate decision in accordance with law. Accordingly the Disciplinary Authority having reviewed the matter and having considered all the relevant facts, imposed punishment to the extent of stoppage of two increments with cumulative effect. The period of suspension was not

to be treated as on duty and withhold the salary and allowance for the aforesaid period. Being highly aggrieved the workman again, preferred an appeal before the Disciplinary Authority vide his letter dated 27th January, 2004 who in turn confirmed the punishment i.e. stoppage of two increments imposed by the Disciplinary Authority but no order was passed in regard to the period of suspension. According to the workman the punishment imposed upon him ex-facie appears to be illegal. He has prayed that period of suspension is to be treated as on duty and salaries and allowances are admissible to him.

5. The workman has further contended inter-alia that he was placed under suspension with effect from 24-6-94 to 12-10-99 and due to the protracted departmental proceeding he had to suffer a lot. It has been further alleged that the charge Nos. 1, 2 and 5 which have been proved against the delinquent officer does not constitute the term misconduct. The delinquent officer further prayed before this Court to pass an order setting aside the punishment imposed upon him.

6. The Management (herein called the State Bank of India) contested the proceeding by filing written statements, wherein it has been stated inter-alia that while the delinquent officer was working in Nazira Town Branch of State Bank of India committed serious misconducts, such as, unauthorized purchase of demand draft, misappropriation of customers money, etc. That on 20-4-94 the workman received Rs. 7419.40 from one Rabin Kalita for issuance of a demand draft in favour of L.I.C. I. The amount so received, neither deposited by him to the cash counter nor any draft was issued. On the contrary, a fake draft counter-foil was issued by him by his signature and affixed Bank's seal to mislead the applicant of the draft. Thereafter Sri Kalita lodged a formal complaint to the Bank against the delinquent officer for non-receipt of demand draft. The delinquent officer also admitted his guilt. On receipt of several allegations against the workman he was placed under suspension on 24-6-94. Pending further enquiry. The disciplinary authority considered his track records and found that he committed several misconducts which took some times for framing the charge sheet. Ultimately a charge sheet was submitted against the delinquent officer on 6-8-97 with the following charges.

"Charge No. 1

You encashed an withdrawal slip for Rs. 1400 on 25-01-94 at our Dispur Branch vide D.D. No. 59 dated 25-01-94 drawn on your savings Bank A/C No. 13/8707, maintained with State Bank of India, Nazira Town Branch without keeping sufficient fund in the account on the date of issuing the withdrawal. The Dispur Branch's Transfer Responding Advice dated 25-01-94 for Rs. 1400, on being responded to by Nazira Town Branch through Sch. No. 6 on 31-01-94, you deposited a sum of Rs. 1400 in your Savings Bank A/C in order to honour the instrument. The D.D. was paid on 25-01-94. You thus violated clause I (viii) (f) of the rules of conduct applicable to Award Staff of the Bank which reads as under:—

'An employee may not overdraw his account with the Bank, whether against security or otherwise without the authority of the Appropriate Authority.'

Charge No. II

You again encashed another withdrawal slip for Rs. 500 on 23-05-94 at our Sonari Branch vide D.D. No. 79 dated 23-05-94 drawn on your aforesaid Savings Bank account without keeping sufficient fund in your account. The D.D. was returned unpaid to Sonari Branch by our Nazira Town Branch on 30-05-94 on presentation due to insufficient fund in your account. However, Sonari Branch recovered the D.D.P. amount with overdue interest from you at a later date. Thus you defrauded the bank and utilized the Bank's money temporarily for your personal benefit. You thus violated Clause I (viii) (f) of the Rules of conduct applicable to Award Staff of the Bank which reads as under:—

'An employee may not overdraw his account with the Bank, whether against security or otherwise without the authority of the Appropriate Authority.'

Charge No. III

On 20-04-94 while performing duties at the Draft issued counter you received unauthorisedly a sum of Rs. 7419.40 from one Sri Robin Kalita for issuance of a demand draft fvg. LIC. The amount so received was neither deposited by you to the Cash Receiving Counter nor any draft for that amount was issued on that day. Instead a fake draft counterfoil was issued by you under your authentication and Bank's seal to mislead the applicant of the draft. After Sri Kalita lodged a complaint to the Bank against you for non-receipt of demand draft, you deposited the amount of draft i.e. Rs. 7419.40 on 29-04-94 and the draft was issued and delivered to the applicant on 29-04-94. In this way you temporarily misappropriated customer's money for your own benefit.

Charge No. IV

You borrowed an amount of Rs. 7000 against a cheque No. 992100 dated 17-3-94 from Shri B.K. Panda, an employee of ONGC, Geological Deptt. Nazira on 17-3-94 with a commitment that you would refund Rs. 7000 within 2/3 days. But you did not repay the amount, instead, you again obtained another cheque of Rs. 10000 from Shri B. K. Panda fraudulently and encashed the cheque on 21-3-94. Hence, your loan from Shri B.K. Panda has been raised to Rs. 17000 from Rs. 7000.

On being pressurized by Shri Panda for repayment of the borrowed sum of Rs. 17000, you issued one fictitious Savings Bank pay-in-slip counterfoil for Rs. 17000 under your authentication and Bank's seal with an intention to establish that the money was refunded to him through his Savings Bank account. But you did not deposit any amount into the Savings Bank account of Shri Panda. Thus you misappropriated the customer's money amounting to Rs. 17000 for your personal gain by adopting unfair practice.

Charge No. V

Again you borrowed a sum of Rs. 20,000 by way of cheque No. 780456 dated 21-4-94 from Shri S.C. Guwali, an employee of ONGC, Geological Deptt. Nazira on 21-4-94 on condition that you would refund the amount, so borrowed, within 2 days. But you did not repay the amount to Shri S.C. Guwali as yet and misappropriated customer's money for your personal gain."

7. The workman submitted his reply which was not satisfactory to the Disciplinary Authority and, accordingly, departmental enquiry was initiated against the workman. The Enquiry Officer and Presenting Officer were also appointed which was communicated to the workman vide letter dated 6-9-97. Both the sides participated in the departmental proceeding, adduced evidence in support of their respective claims. At the time of departmental proceeding, the Enquiry Officer conducted the enquiry in compliance with the Principle of Natural Justice as enshrined in law. The Enquiry Officer came to the conclusion that charge Nos. I, II and V were proved and the Management failed to bring home the Charge Nos. III and IV and, accordingly, submitted his enquiry report on 29-5-98. The Disciplinary Authority disagreed with the findings of the Enquiry Officer and according to him the other two charges were also found to be proved. The Disciplinary Authority, thereafter communicated the report of the Enquiry Officer along with his comment vide letter dated 27-6-98 with a direction to submit representation, if any. In obedience to that, the workman submitted his representation on 7-8-98. Having considered the pros and cons of the entire matter the Disciplinary Authority imposed punishment to the extent of stoppage of 5 increments with cumulative effect and the suspension period was not treated as on duty. Thereafter the workman preferred an appeal before the Appellate Authority and having considered the materials on record and having considered the representation of the workman the punishment was reduced to the extent of stoppage of four increments with cumulative effect vide order dated 19-7-99. The Appellate Authority also confirmed the views of the Disciplinary Authority to the fact that period of suspension cannot be treated as on duty. The workman challenged the order of the Appellate Authority in a Writ Petition bearing No. W.P.(C), 3997/1999. The Hon'ble High Court vide his order dated 27-6-03 remitted the case to the Disciplinary Authority to consider the matter in accordance with law. Thereafter the Disciplinary Authority imposed punishment to the extent of stoppage of two increments and the period of suspension should not be treated as on duty with a direction to the workman to submit representation, if any, against the proposed punishment. Against the order of proposed punishment the workman preferred an appeal before the Dy. General Manager, State Bank of India, (Appellate Authority). Having considered the materials on record the Appellate Authority also confirmed the punishment imposed upon the workman i.e. stoppage of two increments and the

period of suspension should not be treated as on duty vide order dt. 26-12-03 which was affirmed on 9-2-04. According to the Management the workman committed serious misconduct which was unbecoming on the part of a Bank Officer. However, lenient view was taken against the workman and the punishment so imposed upon the workman was commensurate with the charges brought against him. The Management has prayed that the punishment inflicted upon the workman is justified.

8. Heard Mr. M. Agarwala, appearing for the workman. Also considered the written argument submitted by him in addition to his oral argument. Also heard Mr. A. Dasgupta, the learned counsel for the Management. Mr. Agarwala has emphatically submitted that penalty imposed by the Management is too harsh and should not be allowed to sustain. He has further pointed out that due to suspension, the workman will be deprived of getting his promotional avenues which needs consideration by this Court.

9. Per contra the learned counsel for the Management has submitted that the Management was kind enough to take a lenient view against the workman even though he committed serious misconduct. According to him the punishment imposed upon the workman is quite reasonable and there is nothing to interfere with. Before entering into this controversy, I feel it convenient to discuss the evidence on record.

10. Mr. M. Agarwala, Dy. General Secretary (Hq), State Bank of India Staff Association, North Eastern Circle, Guwahati, has deposed on behalf of the workman. According to him, he has been authorized by the General Secretary, State Bank of India Staff Association, North Eastern Circle to defend the case of the workman, vide Annexure-2. According to him the workman Sri Tilak Ch. Mahanta was posted at Nazira Town of the State Bank of India prior to the year 1999 and thereafter he was transferred to Jang Branch in the State of Arunachal Pradesh. The workman was issued charge sheet for some irregularities vide Annexure-III. Thereafter, formal disciplinary proceeding was initiated against the workman and the Enquiry Officer submitted his report imposing punishment to the extent of stoppage of 5 increments with cumulative effect and period of suspension should not be treated as on duty and the workman shall not be entitled for any pay and allowances for the period. Thereafter, the workman preferred an appeal before the Appellate Authority, vide Annexure 6, who after due consideration of all the relevant facts, imposed punishment to the extent of stoppage of 4 increments with cumulative effect and period of suspension should not be treated as on duty, as held by the Enquiry Officer. Thereafter, the workman preferred a Writ Petition before the Hon'ble High Court and the Hon'ble High Court remitted the case to the Management with a direction to review the matter in accordance with the law. Finally, the punishment was imposed upon the workman to the extent of stoppage of two increments with cumulative effect, vide Annexure-9. However, period of suspension was not to be treated on duty withholding his pay and allowances for the same

period. From the evidence it is thus seen that the entire evidence is just like a replica of the original case of the workman. The Management has cross-examined this witness at length.

In his cross-examination, he has admitted that the workman was defended by him in the departmental proceeding. He has also admitted that the workman Tilak Chandra Mahanta verbally authorized him to adduce evidence on his behalf. According to this witness there was an allegation in the charge sheet, that on 20-4-94, the workman received an amount of Rs. 7,419.40 from one Rabin Kalita for issuance of a demand draft in favour of L.I.C.I. The amount so received by him was not deposited in the counter nor any draft was prepared and accordingly, a complaint was lodged before the Bank. As per the statement of the workman it was seen that the amount was not deposited in the cash counter as reflected in the report of the Enquiry Officer in Charge No.3 in the departmental Proceeding, Ext 20. The workman also admitted his guilt as per Ext. A, proved by the Management. He also admitted there were other allegations in the charge sheet. From the cross-examination part, it is, thus seen that initially 5 increments were stopped with cumulative effect, thereafter, it was reduced to 4 increments in Appellate Stage. Thereafter, on being interfered by the Hon'ble High Court, the matter was reviewed and ultimately punishment was imposed upon the workman to the extent of stoppage of two increments with cumulative effect and the period of suspension should not be treated as on duty, which is the bone of contention between the parties.

11. In order to rebut the evidence of the workman, the Management on the other hand, has examined one witness, who is Chief Manager (HR), State Bank of India. According to him on 20-4-94, while the workman Sri Tilak Chandra Mahanta, was working in Nazira Branch, he received Rs. 7419.40 from one Rabin Kalita for issuance of demand draft in favour of L.I.C.I. He neither deposited the amount to the Bank nor any Draft was issued and a fake of draft counter-foil was delivered by him to Sri Rabin Kalita. The counter-foil contained his signature and seal of the Bank to acknowledge the receipt of the amount. Subsequently, Rabin Kalita submitted a formal complaint in the Bank against the workman whereby, Sri Tilak Chandra Mahanta, (herein called as workman) confessed his guilt vide Ext. A. The Authority received other complaints against the workman and ultimately he was placed under suspension pending Departmental Proceeding. A Departmental Proceeding was initiated against the workman, issued charge sheet on 6-8-97; Ext. B is the said charge-sheet. Altogether 5 charges were brought against the workman as mentioned in the charge sheet. Against the Charge-Sheet the workman submitted his reply, vide Ext. C but the reply was not satisfactory. After due enquiry the Enquiry Officer submitted his report vide Ext. D. Ext. E is the Enquiry Proceeding. The Enquiry Report shows, Charge Nos. 1, 2 and 5 were proved and other 2 charges were not proved against the workman. The witness said,

no objection was raised by the workman that the Asstt. General Manager, Zonal Officer, Jorhat, ceased to be the Disciplinary Authority. The evidence adduced by the Management is almost the true copy of their W. S. This witness has been cross-examined by Mr. M. Agarwala. In cross-examination, he has admitted that Charge No. 3 was not proved during the Departmental Proceeding. It is also admitted that workman was placed under suspension from 26-6-94 to 12-10-99. This witness further admitted, in cross-examination that Asstt. General Manager, Region-I, passed the order of punishment as directed by the Hon'ble High Court. Though the workman was transferred from Jorhat to Jang Branch, the Disciplinary Authority remained the same.

12. I have carefully gone through the evidence adduced by the workman vis-a-vis the Management. I have also taken into consideration the documents submitted by the parties. It is admitted position that three charges namely, Charge Nos. 1, 2 and 5 found proved against the workman. The learned Counsel appearing for the Management in his efficacious submission has contended inter alia that 3 serious charges have been proved against the workman as such, the punishment imposed upon him is quite reasonable and there is nothing to interfere with. He has further pointed out that being a Bank employee the workman should not have committed such a misconduct which deserves dismissal of service. According to him the Bank management was lenient in imposing punishment to the extent of stoppage of two increments with cumulative effect and the period of suspension should not be treated as on duty. Mr. Das Gupta, the learned Counsel for the management in all fairness has submitted that during the suspension period the workman was paid subsistence allowance as required by law. According to him the punishment inflicted upon the workman by the management should be affirmed. This contention has been seriously controverted by Mr. Agarwala, who in his submission has contended that the punishment so imposed upon the workman is harsh and deserves to be set aside.

13. I have reconsidered the charge Nos. 1, 2 and 5, which alleged to have been proved against the workman. According to me, the charges are of serious in nature, which is not expected from a Bank employee. In this context, let me refer the following decisions of the Apex Court:—

1. (1998) 4 SCC 310, wherein the Apex Court has held : It need to be emphasized that in the banking business, absolute devotion, diligence, integrity and honesty needs to be preserved by the Bank employees. If it is not observed, the confidence of the public/depositors would be impaired.

2. UCO Bank Vrs. Hardev Singh, in which the dismissal of a Clerk for misappropriation of Rs. 864 was upheld by the Supreme Court.

3. In Municipal Committee, Bahadurgarh—Vrs.—
Krishna Behani and ors., reported in 1996 (2) P.J.R., SC-9,
wherein it has been held through the money misappropriated
may be small, yet it is a serious crime for which no
sympathy can be shown and it warrants punishment of
dismissal.

4. (2000) 7 SCC 517, wherein it has been observed
that misconduct on the part of the Bank employee deserves
dismissal from service.

14. Having heard both the sides and having
considered the entirety of the facts and circumstances of
the case and having regard to the ratio as laid down by the
Apex Court in a catena of decisions as referred to above,
I am constrained to hold that the punishment imposed
upon the workman does not appear to be unreasonable,
harsh, rather it appears to be commensurate with the
misconduct charged against the workman, thus calls for
no interference by this Court.

15. In the result, the punishment imposed upon the
workman stands affirmed. However, the workman is at
liberty to approach the management for the pay and
allowances for suspension period and the management
shall dispose off the matter in accordance with law.

16. With the observations indicated above, the
issue is thus answered accordingly.

17. The award be sent to the Ministry immediately
as per law.

D. K. DEBROY, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

क.आ. 1107.—औद्योगिक विवाद अधिनियम, 1947 (1947
का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ
इंडिया के प्रबंधन के संबंध निोजकों और उनके कर्मचारों के बीच,
अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक
अधिकरण, चण्डीगढ़ नं. 1 के पंचाट (संदर्भ संख्या 101/2002) को
प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2009 को प्राप्त
हुआ था।

[सं. एल-12012/464/2001-आईआर(बी-1)]

अजय कुमार, डेस्क-अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1107.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the Central
Government hereby publishes the award (Ref. No. 101/2002)
of the Central Government Industrial Tribunal-cum-Labour
Court No. 1, Chandigarh as shown in the Annexure in the
Industrial Dispute between the management of State Bank
of India and their workmen, received by the Central
Government on 2-4-2009.

[No. L-12012/464/2001IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No-101/02

Shri Ghanshyam Dass, Asstt. C/o The General Secretary,
SBI Staff Congress, 3030/1, Sector-44, Chandigarh
...Applicant

Versus

The Asstt. General Manager, State Bank of India, Zonal
Office, Region-I, Punjab, Sector-17, Chandigarh.

...Respondent

APPEARANCES

For the workman: Workman in person.
For the management: Shri S. K. Gupta alongwith AGM, i.e.
prescribed authority.

AWARD

Passed on: 17-3-2009

Central Govt. vide notification No.L-12012/464/
2001-IR(B-I) dated 9th of May 2002 has referred the
following dispute to this Tribunal for adjudication:

"Whether Shri Ghanshyam Dass, Asstt. at Air Force
High Grounds Branch of State Bank of India was present
on the days for which Bank has marked absent? If so,
whether the action of the management of State Bank of
India to denied to pay wages for a period of 14 months
without supporting any details is justified? If not, what
relief the workman is entitled?"

2. Workman is present alongwith his counsel.
Prescribed authority of the management is also present
alongwith Shri S. K. Gupta, Advocate. There are six cases
fixed in Lok Adalat in between the workman and the
management of State Bank of India. Out of six, three cases
are pending before this Tribunal and rest the cases are
pending before Central Govt. Industrial Tribunal-cum-
Labour Court-II.

3. Long discussion took place. In all the six cases,
the discussion resulted in the settlement. The workman
agreed to withdraw all the six cases with the assurance of
the management that there shall be no pecuniary loss and
loss in the retirement benefits. As the workman has
withdrawn this present reference on assurance mentioned
above, the reference is disposed off being withdrawn in
Lok Adalat. Central Government be informed.

Chandigarh

17-3-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1108.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ नं. 1 के पंचाट (संदर्भ संख्या 753/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2009 को प्राप्त हुआ था।

[सं. एल-12012/463/2001-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1108.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 753/2005) of Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between management of State Bank of India and their workmen, received by the Central Government on 2-4-2009.

[No. L-12012/463/2001-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

Before Shri Gyanendra Kumar Sharma, Presiding Officer, Central Govt. Industrial Tribunal-Cum-Labour Court-1, Chandigarh.

Case No-753/05 registered in CGIT-I

Shri Ghanshyam Dass C/o The General Secretary, SBI Staff Congress, 3030/1, Sector-44, Chandigarh

Applicant

Versus

The Asstt. General Manager, State Bank of India, Zonal Office, Region-I, Punjab, Sector-17, Chandigarh.

Respondent.

APPEARANCES

For the Workman : Workman in person.

For the management : Shri S.K. Gupta alongwith A.G.M. i.e. prescribed authority.

AWARD

Passed on: 17-3-2009

Central Govt. vide notification No.-L12012/463/200-IR(B-I)), dated 26th of March 2002 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India in denying the officiating power to Shri Ghanshyam Dass, Asstt. at bank branch at Air Force High Grounds, Chandigarh is justified? If not, what relief the workman is entitled?"

2. Workman is present alongwith his counsel. Prescribed authority of the management is also present alongwith Shri S.K. Gupta Advocate. There are six cases fixed in Lok Adalat in between the workman and the management of State bank of India. Out of six, three

cases are pending before this Tribunal and rest the cases are pending before Central Govt. Industrial Tribunal-cum-Labour Court-II.

3. Long discussion took place. In all the six cases, the discussion resulted in the settlement. The workman agreed to withdraw all the six cases with the assurance of the management that there shall be no pecuniary loss and loss in the retirement benefits. As the workman has withdrawn this present reference on assurance mentioned above, the reference is disposed off being withdrawn in Lok Adalat. Central Government be informed.

Chandigarh

17-3-09

G.K. SHARMA, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1109.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 121/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-4-2009 को प्राप्त हुआ था।

[सं. एल-12011/47/2003-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1109.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 121/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 2-4-2009.

[No. L-12011/47/2003-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH.**

Case No-I 21/04

Shri Ghanshyam Dass Asstt. C/p The General Secretary, SBI Staff Congress, 3030/1, Sector-44, Chandigarh

...Applicant

Versus

The Asstt. General Manager, State Bank of India, Zonal Office, Region-I, Punjab, Sector-17, Chandigarh.

...Respondent

APPEARANCES

For the workman: Workman in person.
 For the management: Shri S.K. Gupta alongwith
 A.G.M. i.e prescribed
 authority.

AWARD

Passed on: 17-3-2009.

Central Govt. vide notification No. L-12011/47/2003-IR(B-I) dated 10th of March, 2001 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India, Chandigarh in wrongfully withholding Roll Number of Shri Ghanshyam Dass to appear in the tests for promotion to J.M.G., Scale-I, (Asstt. Manager) held on 23-12-01 & 28-7-02 is justified? If not, what relief the workman is entitled to?"

2. Workman is present alongwith his counsel. Prescribed authority of the management is also present alongwith Shri S.K. Gupta, Advocate. There are six cases fixed in Lok Adalat in between the workman and the management of State Bank of India. Out of six, three cases are pending before this Tribunal and rest the cases are pending before Central Government Industrial Tribunal-cum-Labour Court-II.

3. Long discussion took place. In all the six cases, the discussion resulted in the settlement. The workman agreed to withdraw all the six cases with the assurance of the management that there shall be no pecuniary loss and loss in the retirement benefits. As the workman has withdrawn this present reference on assurance mentioned above, the reference is disposed off being withdrawn in Lok Adalat. Central Government be informed.

Chandigarh.

17-3-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1110.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ नं. 1 के पंचाट (संदर्भ संख्या 165/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02-4-2009 को प्राप्त हुआ था।

[सं. एल-41012/278/2003-आई. आर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1110.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.165/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Northern

Railway, and their workmen, received by the Central Government on 02-4-2009.

[No. L-41012/278/2003-IR(B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
 PRESIDING OFFICER, CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
 CHANDIGARH**

Case No. 165/2004.

Shri Braham Dev Sharma. C/o Shri H.K. Sharma, Secretary,
 Uttariya Railway Karamchari Union, EF, 430 Krishan Nagar,
 N.G.Road Jalandhar (Punjab)

Applicant

Versus

The General Manager, Northern Railway Baroda House,
 New Delhi.

Respondent

APPEARANCES

For the workman: Shri H.K. Sharma.
 For the management: Shri N.K. Zakhmi

AWARD

Passed on: 17-3-2009.

Central Government vide notification No. L-41012/278/2003-IR(B-I) dated 5-4-2004, has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Northern Railway Management in denying the benefits of pay scale of post of Commercial Controller from 6-9-1980 and consequential benefits of revised pay scale w.e.f. 24-4-1985 till date of superannuation is illegal and unjustified? If so to what amount and from which date concerned workman is entitled to the relief?"

2. Workman LR is present. Prescribed authorities of the management is also present. Case taken up in Lok Adalat. It is agreed in Lok Adalat that management shall pay all the increments due to deceased workman Shri Braham Dev Sharma since 1980 to the date of superannuation in the pay scale of Rs. 455-700 and arrears thereof. It is also decided that arrears of revised pensionary benefits shall also be paid within three months. It is also decided that all the pecuniary benefits shall be deposited in the Tribunal by the prescribed authority within the prescribed time of three months and that amount will be released to the legal heirs by the Tribunal. Accordingly the reference is returned as settled in Lok Adalat. Central Government be informed. File be consigned.

Chandigarh.

17-3-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2009

का.आ. 1111.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिजर्व बैंक ऑफ इंडिया के प्रबंधन के संबद्ध कर्मचारियों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या सं. 88/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02-4-2009 को प्राप्त हुआ था।

[सं. एल-12011/65/1999-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 2nd April, 2009

S.O. 1111.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.88/2000) of Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Reserve Bank of India and their workman received by the Central Government on 02-4-2009.

[No. L-12011/65/1999-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORESHRI A. N. YADAV PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR.

Case No. CGIT/NGP/88/2000 Date: 20-03-2009.

Petitioner : The Secretary, Reserve Bank of India Employees Association (Regd. No. 47/17) B.M.S. Office Mandir Marg, Sitabuldi, Nagpur-440012.

Party No. 1

Versus

Respondent : The Regional Director, Reserve Bank of India, Nagpur-440001.

Party No. 2

AWARD

Dated : 20-03-09

The Central Government after satisfying the existence of disputes between The Secretary, Reserve Bank of India Employees Association, (Regd. No. 47/17) B.M.S. Office, Mandir Marg, Sitabuldi Nagpur-440012. Party No.1 and The Regional Director, for Maharashtra Reserve Bank Of India, Nagpur-440001. Party No.2 referred the same for adjudication to this Tribunal vide its Letter

No. L-12011/65/99-IR(B-I) Dt. 24-03-2000 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947) with the following schedule :—

(1) "Whether the action of the Regional Director for Maharashtra, Reserve Bank of India, Nagpur, over the issue of arbitrary change in the conditions of service in regard to DETOs (Shri A.R. Nagbhirkar and 8 others) by way of Transfer order dated 17-8-1999 and to deprive them from Spl. Allowances w.e.f. 19-8-1999 is legal and justified? If not, what relief the said workmen are entitled to and from which date?"

(2) Consequent upon the notice of this Tribunal, issued on receipt of above order to it, the petitioner filed their Statement of Claim. According to it the management Reserve Bank of India started automation and computerization of its various activities in phased manner in its departments like Accounts Section, Issue Department, Deposit Accounts and Debt. Accounts etc. by installing 30 Data Entry Terminals. It has for those 30 terminals engaged 30 terminal operators and also created a pool of 15 more operators for smooth running of the work even during the leave and absence etc. of the above 30 operators. They were selected after the aptitude test and the interviews. It is also contended that their terms and conditions of the service are determined under the Bank Office Circular, Gen. No. 70/83-84 dt. 31-1-1984. Further it is also contended that they were selected after eligibility screening test, interview etc. and thus the management has created special class of these employees amongst the class-III cadres. A special pay of Rs. 275 (as revised from time to time) was payable to them prorate basis as per contract of service between the workman and the respondent bank. Similarly their services were non transferable in normal rotation of the Bank and thus the arrangement and the work was continuing satisfactorily from 1984.

(3) The grievance of the petitioner is that as per above circular in view of the creation of the new cadre, the management is not entitled to transfer him from the panel of DETOs and depriving him from the special pay by an order dt. 17-8-1999. He has prayed to direct the management R.B.I. to withdraw its above order of transfer and direct it to continue the special pay.

(4) Management by filing its Written Statement resisted the claim of the petitioner. Having denied all the contentions and the demands in this respect, the management contended that it has started automation and

computerization in a phased manner in the department of the Bank. According to it the service conditions of the R.B.I. employees are governed by the condition laid down in Reserve Bank (Staff Regulation, 1948). It was necessary to introduce a computerization considering the development and the globalization of economy with a view to improve the productivity and efficiency. It was opposed by the employees and Trade Union was making difficult to introduce a computerization. In this background in July, 1984 in order to promote the computerization in the Bank, it was considered necessary to grant a special pay by way of functional allowance to the Data Entry Terminal Operators. The special pay was started initially Rs. 401 p.m. and it was revised from time to time and at the relevant time it was Rs. 2751. Since 1990 the Bank stipulated the condition for recruitment of the Clerks Grade-II/one-Group-II that the selected candidates will have to perform the data entry operations on all the terminals as when require. In order to train the employees on the computer, it was necessary to rotate them after two to three years. Therefore the services of all the Clerks including DETOs are transferable. They are the common cadre employees, legible for promotion to Clerk Grade-I/CNI Grade-I.

(5) The management enter into bi-lateral settlement on 20-7-1994 with All India Reserve Bank Employees Association, a recognized trade union of Class-III employees of Reserve Bank of India with a view to improve the technology which was facilitating the functioning of the bank while discharging the duties effectively and efficiently. The recognized and majority union of the Bank has agreed to withdraw the special pay which was given to the terminal operators. In addition to it the Bank has also discussed the matter with the representative of All India Reserve Bank Employees Association and their representatives also consented in lieu of grant of one advanced increment. Now it is condition of their service, to work on computer terminals; ledger posting machines should be given one advanced increment. It was also considered that those who were getting a special allowance should be continued upto 17-9-95 and there after should be withdrawn in case of posting of new incumbents. Similarly the employees posted after 17-9-95 will not be paid any special pay. In view of grant of one advance, increment up gradation allowance the DETOs are not entitled for the special pay. Finally it has prayed to answer the reference in the negative.

(6) Thus the main disputes are whether a new cadre has been created by the management by preparing a list or

panel of the workers for working as DETOs. Whether it has become a service condition and consequently whether there is a change in the service condition due to the stoppage of special pay and transfer of the petitioner.

(7) While deciding the reference bearing No. CGIT/NGP/65/2000 between the same parties, I have already concluded that neither preparing list of the workers for working as a DETOs nor allowing special pay will amount to creation of new cadre or amount to form new service conditions. In this petition the petitioner is challenging the stoppage of payment of special pay is illegal and his transfer from the panel under a order dt. 17-8-1999 is also a illegal being change in service conditions. However as decided in earlier above mentioned reference the circular dt. 31-1-1984 assumes a great importance. No doubt a list was prepared of the workers for working on a Data Entry Terminal after taking interviews and calling the applications in a prescribed form was only with the view to promote the computerization. Special Pay was allowed or paid to promote the interest in the workers for working on the computers in the initial stage of its installation. This can not be a creation of a new cadre and can not be a new service conditions for the person working as a DETO even the prescribed form shows that the workers included in the panel of DETOs will not apply for a transfer from the terminals at least for two years. Subsequently the workers were also entitled for asking the transfer and the management had never ceased its right of transfer. The transfer of the employee is the right of the management and the events incidental to the service conditions. On the administrative ground right to transfer of the management can not be denied either by creating a new panel or by granting a special pay.

(8) Similarly a special pay was paid for the work done of taking entries on the terminals. This can not be a service conditions. It being a special pay for the particular work would be entitled to the workers who is doing that particular work. If that work is taken out from him due to the transfer or some other reasons, definitely he would not be entitled for the special pay. In such circumstances in my opinion there is nothing to conclude that special cadre was created and there is any change in service conditions attracting the Provisions of Sec. 9 (a) of I.D. Act. In the result there is neither formation of new cadre nor in change in the service condition. Consequently the petitioner is not entitled to any relief as claim by it. Hence I answer the reference in negative in this Award.

Date : 20-03-2009

A. N. YADAV, Presiding Officer

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1112.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र	निम्नलिखित बढ़ते हुए क्षेत्र/तेनी जिले के राजस्व गाँव
चिन्नमनूर	1. उत्तमपालयम, तालुक का चिन्नमनूर नगरपालिका क्षेत्र 2. उत्तमपालयम तालुक जिला तेनी के राजस्व गाँव पूलानन्तापुरम करूकाटानकुलम, चिन्नवेलापुरम, मुत्तलापुरम, मरकायनकोट्टे पुलिकुत्ति, कुच्चानुर, ओडैपट्टी

[सं. एस-38013/15/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1112.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

CENTRE	AREAS COMPRISING THE REVENUE VILLAGES OF
Chinnamanur	1. Chinnamanur Municipal Limits of Uthamapalayam Taluk. 2. The revenue Villages of Poolananthapuram, Karunkatankulam, Chinnaovelpuram, Muthalapuram, Markayankottai, Pulikuthi, Kutchanur, odaipatti in uthamapalayam Taluk of Theni District.

[No. S-38013/15/2009-S.S.I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1113.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा (1) और धारा -77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र	बढ़ते हुए निम्नलिखित क्षेत्र/तेनी जिले के राजस्व गाँव
कंबम उत्तमपालयम तालुक जिला तेना	1. उत्तमपालयम तालुक के कंबम नगरपालिका क्षेत्र 2. उत्तमपालयम तालुक जिला तेनी के राजस्व गाँव, कामयकउण्डनपट्टी नारायनतेवनपट्टी (दक्षिण), नारायनतेवनपट्टी (उत्तर) उत्तमपुरम और सी. पुदुपट्टी

[सं. एस-38013/16/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1113.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

CENTRE	AREAS COMPRISING THE FOLLOWING AREAS/REVENUE VILLAGES OF THENI DISTRICT.
Cumbum Uthamapalayam Taluk.	1. Cumbum Municipal Limits of Uthamapalayam Taluk 2. Revenue Villages of Kamayakoundantatti Narayanathevanpatti (South) Narayanathevanpatti (North) Uthamapuram and C. Pudupatti of Uttamapalyam Taluk of Theni District.

[No. S-38013/16/2009-S.S.I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1114.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

केन्द्र

तुतुकोरिन जिला के पुदुक्कोट्टै क्षेत्र

1. मरवनमडम
2. कूताडुंगाडु
3. अल्लिकुलम
4. कुमर गिरी
5. साउत सिलुक्कानपट्टी
6. सेर्वैक्कडमडम
7. पेरुरणी
8. सेन्तिलम्पणै

आदि के अंतर्गत आने वाले राजस्व गाँव.....

[सं. एस-38013/17/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1114.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

Centre	Areas Comprising the Revenue Villages of
Pudukkottai Area	1. Maravanmadam
Tuticorin District	2. Kootadunkadu
	3. Allikulam
	4. Kumara Giri
	5. South Sifukkanpatti
	6. Servaikkadamadam
	7. Perurani
	8. Senthilampannai

[No. S-38013/17/2009-S.S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1115.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध आंध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे;

आंध्र प्रदेश राज्य के महबूबनगर जिले के फारूखनगर मण्डल में स्थित वेलजर्ला-1, 2, 3 और 'केशमपेटा' मण्डल में स्थित 'पापिरेड्डीगुडा' के राजस्व ग्रामों की सीमा के अंतर्गत आने वाले सभी क्षेत्र।

[सं. एस-38013/18/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1115.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Andhra Pradesh, namely:—

"All the Areas Falling Within the Limits of Revenue Villages of Valjerla- I, II, III of Farooqnagar Mandal and Papireddyguda Keshampeta Mandal in Mahaboobnagar District (A. P.)."

[No. S-38013/18/2009-S.S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 15 अप्रैल, 2009

का.आ. 1116.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध आंध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे;

आंध्र प्रदेश राज्य के वारंगल जिले के महबूबनगर मण्डल में स्थित खेड़ा गांव सहित राजस्व ग्राम की सीमा के अंतर्गत आने वाले सभी क्षेत्र ।

राजस्व ग्राम	खेड़ा गांव
1. महबूबनगर
2. गुन्दूर	वेल्लिकट्ट टेंडा
3. बेतोला	1. रामसपेट 2. चापला टेंडा 3. बुक्का टेंडा 4. बुगुलोट्ट टेंडा
4. अनन्तराम	1. पाकन टेंडा 2. रामसिंह टेंडा 3. गांधीपुरम 4. कोट्टूर
5. शानगापुरम
6. जमनलपल्लि	1. मुत्तासमनगुडेय 2. चन्द्रा टेंडा 3. रत्ना टेंडा
7. पर्वतगिरि	1. हरिजन कालोनी 2. सोमूल टेंडा 3. लक्ष्मी टेंडा 4. कोडगुट्टा टेंडा 5. बूक्कू टेंडा
8. मुदुपुगल	1. बन्जारा टेंडा 2. वेंकाया टेंडा 3. जोगी टेंडा
9. एडुलपुच्चल्लि	4. दुर्गा टेंडा

[सं. एस-38013/19/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1116.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Andhra Pradesh, namely:—

"All the areas falling within the limits of following Revenue Villages with their Hamlets of Mahabubabad Mandal in Warangal District of Andhra Pradesh State."

Sl. No.	Revenue Villages	Hamlets
(1)	(2)	(3)
1. Mahabubabad	
2. Gundur	Vellikatta Thanda	
3. Betola	1. Ramalpet 2. Chapala Thanda 3. Bukya Thanda 4. Bugulotta Thanda	
4. Anantharam	1. Pakshandi 2. Ram Singh Thanda 3. Gandhipuram 4. Kothur	

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(1)	(2)	(3)
5. Shanagapuram	
6. Jamandlapally	1. Muthyalammagudem 2. Chandra Thanda 3. Rathya Thanda	
7. Parvathagiri	1. Harijan Colony 2. Somula Thanda 3. Lakshmi Thanda 4. Kodagutha Thanda 5. Burugu Thanda	
8. Mudupugal	1. Banjara Thanda 2. Venkaya Thanda 3. Jogi Thanda	
9. Edula Puchapally	Darga Thanda	

[No. S-38013/19/2009-S.S.I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 15 अप्रैल, 2009

क.आ. 1117.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मई, 2009 को उस तारीख के रूप में निश्चित करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध उड़ीसा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे:—

"ढेंकानाल जिला के ढेंकानाल तहसील में नरेन्द्रपुर, शिवपुर, कुकडी, खडम प्रसाद, तुलसीदिहा एवं निमिधा के राजस्व गाँव।"

[सं. एस-38013/20/2009-एस.एस. I]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 15th April, 2009

S.O. 1117.— In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st May, 2009 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Orissa, namely:—

"The Revenue Village of Narendrapur, Sibapur, Kurunti, Khadaga Prasad, Tulasidiha & Nimidha under the Tehsil of Dhenkanal in the District of Dhenkanal in the State of Orissa."

[No. S-38013/20/2009-S.S.I]

S. D. XAVIER, Under Secy.